

The Battle for Legitimacy and Sovereignty in Revolutionary Massachusetts: 1774-1775

A Senior Honors Thesis

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## Abbreviations used in Footnotes:

Wroth ed., *Province in Rebellion*: Kinvin Wroth, *Province in Rebellion: A Documentary History of the Founding Fathers of the Commonwealth of Massachusetts: 1774-1775* (Harvard University Press: Cambridge Massachusetts, 1975).

This source is a compilation of thousands of primary documents including town records, correspondences between various committees, royal correspondences, and the General Thomas Gage Papers.

Carter, ed., *Gage Correspondence: The Correspondence of General Thomas Gage with the Secretaries of State*, 2 vols compiled and edited by Clarence Carter (Yale University Press: New Haven, 1931).



Map from Richard D. Brown, *Revolutionary Politics in Massachusetts: The Boston Committee of Correspondence and the Towns, 1772-1774* (Cambridge, Mass., 1970).

## Introduction

On December 16, 1773 a group of men calling themselves the “sons of liberty” dressed up as Native Americans and dumped British tea from the East India Trading company into the Boston Harbor because of the threatened enforcement of the Parliamentary duties. The Massachusetts “sons of liberty” had a strong tradition of resistance to Parliamentary measures of imperial reform, which they saw as threats to their rights under the charter of 1691. In the eyes of the King and Parliament, however, the “sons of liberty” had exceeded Great Britain’s tolerance for these rebellious actions. The Boston Tea Party was a watershed event between Great Britain and Massachusetts setting off a political and social firestorm throughout Parliament and the colony. Determined to make an example out of Provincial Massachusetts, King George III and Parliament issued a series of repressive measures beginning in May 1774 to force the “rebels” submission to the Crown.

The imposition of these new acts and the arrival of Governor Thomas Gage provoked the Massachusetts inhabitants to meet in local taverns and meeting houses to discuss methods to evade the imposition of the new legislation. The Massachusetts inhabitants, led by the Boston Committee of Correspondence, developed a communication network that evolved in the metropolis and eventually shifted to the countryside in response to the arrival of Gage and the Port Bill. The Boston Committee of Correspondence first entered into Massachusetts politics in 1772, when it warned towns all across the colony of the threat to the charter posed by the Tea Act. The historian Richard Brown argues that:

The career of the Boston Committee, emerging as it did in a critical point in time, exposed the attitudes and assumptions of Massachusetts inhabitants regarding imperial issues as well as the larger question of active participation beyond the local level. The

committee's activities and the behavior of the towns show the way in which communication and leadership operate, and they illustrate the interaction between political behavior and ideology. The examination of these attitudes and relationships in their variety and complexity reveals the dynamics of opposition, resistance, and revolution in Massachusetts.<sup>1</sup>

Their system of communicating with the towns developed in the fall of 1772 was reactivated in the summer of 1774, allowing the Popular Party ideology to spread to the countryside, and mobilize towns that had been virtually non-existent in political affairs. This committee system along with Gage's inadequate provisions to suppress the independence movement created a battle for sovereignty and legitimacy in Massachusetts during the summer of 1774 that slowly allowed the patriots to dissolve Gage's authority in all of Massachusetts with the exception of Boston.

The historian Stephen Patterson discussed the different political parties in Massachusetts in the years leading up to the American Revolutionary War. The Popular Party had deep roots in Massachusetts politics, running back to the 1710s, and broadly united Boston and towns in the eastern countryside to oppose to the governor's interests; their political opponents were known as the "Court Party." The radical leaders were effective at forcing the British government to repeal acts through non-importation and commercial boycotts. The Boston wing was the original revolutionary party also known as the radical Whigs, but their radical ideology mainly focused in Boston until the summer of 1774, when Parliament enforced the Coercive Acts. By August 1774, the Popular Party ideology shifted decisively out of Boston and awakened the backcountry. By Great Britain essentially revoking their charter rights, the patriotic ideology permeated every town in the countryside by the dawn of the Revolution.<sup>2</sup> The Popular Party

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<sup>1</sup> Richard D. Brown, *Revolutionary Politics in Massachusetts: The Boston Committee of Correspondence and the Towns 1772-1774* (Cambridge, Mass: Harvard University Press, 1970), xi.

<sup>2</sup> Stephen Patterson, *Political Parties in Revolutionary Massachusetts* (Madison: The University of Wisconsin Press, 1973).

forced the old “Court Party” men in their midst, including, “River Gods” who dominated the politics in the far western counties of Hampshire and southern Berkshire, to flee for their lives to Boston.

Throughout the summer of 1774, the two contending governments, Great Britain and the Provincial Congress in Massachusetts, battled for sovereignty and legitimacy. Legitimacy, in this sense, will be used as the government that the Massachusetts inhabitants believe as the legal and rightful government. Sovereignty is the quality of a government that has supreme rule over a territory. As the events of the summer of 1774 transpire, Great Britain still had claims to sovereignty; however, the Massachusetts inhabitants deemed the town meetings, county conventions, and, ultimately, the Provincial Congress as the legitimate government.

The legitimacy of the patriot’s actions severely limited Gage’s ability to perform his job. The patriots tested Gage’s power throughout his early administration; however, he did everything in his power to attempt to return the province to peace and prosperity without using force. His Whig ideology heavily influenced his desire to negotiate a peaceful end to the calamities. He had to balance his sympathy for their plight, but effectively fulfill his role as governor.<sup>3</sup> The leading government officials in Great Britain strongly underestimated the patriotic fervor in Massachusetts and left Gage in a deplorable situation with few resources, but he managed to keep peace and order for quite some time. They believed there were hot-beds of the rebellious activity, and if Gage could arrest the leaders, the movement would be suppressed. Needless to say, they grossly underestimated how unified the Massachusetts inhabitants became in resistance to the Parliament’s Coercive Acts. Had Gage been given more provisions, he would have been more effective at his job. As the epicenter of the patriotic fervor moved west, it became too costly for the governor to engage in effective counter-insurgency. Nonetheless, the

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<sup>3</sup> David Hackett Fischer, *Paul Revere’s Ride* (Oxford: Oxford University Press, 1994).

battle for legitimacy and sovereignty blazed in Massachusetts throughout the summer of 1774 and continued up until the outbreak of the Revolutionary War. With inadequate resources, Gage was forced to use a preventative warfare strategy; he consistently walked on thin ice with each attempt to suppress rebellious movements in order to prevent the ignition of insurgency in the entire colony.

By applying modern literature on insurgency and counterinsurgency to a daily analysis of the events that transpired during the summer of 1774, this thesis will advance historian's work previously written on this time period, and focus on the battle for legitimacy and sovereignty between Great Britain and the patriot's shadow government.<sup>4</sup> A shadow government essentially forms in opposition of the existing government. They acquire legitimacy in the eyes of the people through their actions, and implement laws in defiance to the established government. A successful shadow government becomes the de facto government in political affairs. Moreover, an insurgency is an "organized, protracted politico-military struggle designed to weaken the control and legitimacy of an established government, occupying power, or other political authority while increasing insurgent control."<sup>5</sup> The patriots (insurgents) attempted to weaken and delegitimize the British government by establishing a shadow government. On the other hand, counterinsurgency is "military, paramilitary, political, economic, psychological, and civic actions taken by the government to defeat the insurgency."<sup>6</sup> Moreover, long-term success in counterinsurgency "depends on the people taking charge of their own affairs and consenting to

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<sup>4</sup> David Hackett Fischer, *Paul Revere's Ride*; Ray Raphael, *The First American Revolution: Before Lexington and Concord* (New York: The New Press, 2002); Robert A. Gross, *Minutemen and their World* (New York: Hill and Wang, 1976); Richard D. Brown, *Revolutionary Politics in Massachusetts*; Richard L. Bushman, *King and People in Provincial Massachusetts* (Chapel Hill: University of North Carolina Press, 1985); Kinvin Wroth, *Province in Rebellion: A Documentary History of the Founding of the Commonwealth of Massachusetts: 1774-1775* (Cambridge, Mass: Harvard University Press, 1975); Stephen Patterson, *Political Parties in Revolutionary Massachusetts*; John R. Galvin, *The Minutemen, The First Fight: Myths and Realities of the American Revolution* (Dulles: Brassey's, 1989).

<sup>5</sup> Field Manual 3-24, *Counterinsurgency*, 2006, 1-2.

<sup>6</sup> Field Manual 3-24, *Counterinsurgency*, 2006, 1-2.

government rule. Achieving this condition requires the “government to eliminate as many causes of the insurgency as feasible.”<sup>7</sup> This proved to be an impossible task for General Gage because he lost the support of the Massachusetts colonists. Moreover, the French counterinsurgency theorist David Galula argues that the four prerequisites for a successful insurgency are an “appealing and unified cause, police and administrative weakness in the counterinsurgent camp, not-too-hostile geographic environment, and outside support in the middle and later stages in an insurgency.”<sup>8</sup> For all intents and purposes, the first two prerequisites were the primary reasons for the success of the American insurgency. By October 1774, the popular party ideology fulfilled these prerequisites and influenced the population to form an extra-legal Provincial Congress that was legitimate in the eyes of the people. The clash of sovereignties would not occur until the Revolutionary War.

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<sup>7</sup> Field Manual 3-24, *Counterinsurgency*, 2006, 1-1.

<sup>8</sup> David Galula, *Counterinsurgency Warfare: Theory and Practice* (New York: Frederick A. Praeger, 1964), 42.



## Chapter 1: Boston Struggles Alone

At his office at Whitehall, the center of government in the far-flung British Empire, the Secretary of State Lord Dartmouth wrote on April 9, 1774 to the acting Commander in Chief of North America, Thomas Gage, presenting him with several instructions that would ultimately lead to the failure of Great Britain in America. Lord Dartmouth wrote to Gage:

I send you herewith by his Majesty's command a commission under the Great Seal, appointing you Captain General and Governor in Chief of his Majesty's province Massachusetts Bay; together with instructions...necessary for your direction in the present state of disorder within the province to execute measures that will be adopted for reducing it to a state of obedience.<sup>1</sup>

Gage arrived in Massachusetts on May 13, 1774. He would not receive a formal reception from the Royal officials for another four days. He brought with him the latest act from Parliament, the Boston Port Bill, which sparked an immense controversy and generated a rift between Gage and the Massachusetts inhabitants. General Gage wrote to Lord Dartmouth showing him the uneasy atmosphere in which he would attempt to implement these new contentious acts. He asserted:

The late Governor Hutchinson, The Chief Justice, the Commissioners of customs, and the Consignies were either at the castle, or dispersed in the Country, not daring to reside in Boston. [Gage] went to Mr. Hutchinson at Castle William until preparations were made for his reception in Boston, where [Gage's] commission was read and published May 17, 1774.<sup>2</sup>

This alluded to the political and social instability before General Gage even arrived in Boston.

For now, the epicenter of the patriotic movement remained in Boston.

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<sup>1</sup> Lord Dartmouth to Governor Gage, April 9, 1774, as printed in the Gage Papers, in Wroth ed., *Province in Rebellion*, 1.

<sup>2</sup> General Gage to Lord Dartmouth, May 19, 1774, in Carter ed., *Gage Correspondence*, I, 355.

Royal officials in Boston scheduled preparations for Gage's formal reception in Boston to take place on May 17, 1774.<sup>3</sup> At this ceremony, Gage issued his first proclamation as governor requiring all officers, whose commissions would otherwise cease, to continue to exercise that position until further orders were given.<sup>4</sup> Gage appeared confident in his ability to administer these new acts. He understood that there would eventually be some sort of resistance judging by how Massachusetts had responded to previous controversial acts. He wrote to Lord Dartmouth saying, "No design has appeared of opposing the execution of the act, nor [did he] see any possibility of doing it with effect; but many are impatient for the arrival of the troops, and [he was] told that people would speak and act openly, which they now dare not do."<sup>5</sup>

Throughout May 1774, Gage continuously received letters from loyalists in the area proclaiming their allegiance to the King and congratulating him on his safe arrival. These letters most likely comforted Gage giving him the confidence to enforce the new acts with the support of many prominent men and groups. In one of the letters Gage responded to, he wrote "I shall exert every power lodged in my hands, for the protection of his majesty's subjects that every individual may enjoy the blessings peculiar to the British Constitution, by being secured in both person and property."<sup>6</sup> He understood the gravity of the situation, but knew he had to faithfully execute the King's commands by restoring order to the colony. To help him administer his commission more effectively and act under safer circumstances, Parliament required the Royal

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<sup>3</sup> See the *Boston Gazette*, May 23, 1774; Wroth ed., *Province in Rebellion*, 58, for a detailed depiction of Gage's formal reception in Boston. After his Excellency had received compliments of his Majesty's council, of Gentlemen of the Commission of the Peace, the Episcopal and dissenting clergy, military officers, and a great number of other gentlemen, he proceeded to Faneuil Hall in Boston, where an elegant dinner was provided for his welcome reception.

<sup>4</sup> Proclamation of May 17, 1774, as found in the Gage Papers, in Wroth ed., *Province in Rebellion*, 59.

<sup>5</sup> General Gage to Lord Dartmouth, May 30, 1774, in Carter, ed., *Gage Correspondence*, I, 356.

<sup>6</sup> Gage's Response to the Address of the Suffolk County Court of Sessions, as found in the Gage Papers, in Wroth ed., *Province in Rebellion*, 63.

Government's headquarters to be moved from Boston to Salem: roughly twenty miles away.<sup>7</sup>

This move generated controversy because, since the issuance of the charter of Massachusetts Bay in 1691, the seat of government had always been in Boston. These preliminary contentious stipulations created social and political strife within Boston and provided one of many reasons for why Boston met for town meetings more frequently throughout the rest of the summer of 1774 to discuss violations to their charter of 1691.

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Because British officials never apprehended the culprits of the Boston Tea Party, Parliament punished the entire colony by closing the Boston port until the perpetrators repaid all reparations for the damage to the British East India Company. Beginning June 1, 1774, Parliament essentially closed the Boston port. On May 10, soon after this news arrived in Boston, patriots met in Faneuil Hall to discuss the implications of the latest act and what actions to take in order to alleviate the future burden.<sup>8</sup>

These meetings represented a democratic process as well as decentralized power. These two notions signified the future success of all the committees throughout Massachusetts. At the meetings, they generally elected a moderator to preside over the meeting and then put forth motions followed by the freeholders voting on that motion. If a motion passed, the freeholders then elected a committee of approximately four to ten people who would further discuss the motion. The meeting would usually adjourn for a few hours or days giving the committee ample time to consider what actions to take based on the motion. When the meeting reconvened, the

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<sup>7</sup> Lord Dartmouth to Gage, April 9, 1774 and Town Circular Letter to other Colonies, in Wroth ed., *Province in Rebellion*, 97; The Royal Government was to remain in Salem until his Majesty, satisfied upon Gage's representation that the laws of his Kingdom will be duly observed, and government could be administered in Boston with no opposition, shall have signified his royal will for the return of the Governor and General Court to Boston.

<sup>8</sup> See the Town Meeting in Boston on May 10, 1774, in Wroth ed., *Province in Rebellion*, 64; This group of freeholders had been meeting long before the issuance of the latest acts. They initially discussed relative town matters such as constructing new buildings or purchasing new constructed buildings. They were also renowned for the Circular Letter that they sent out in 1768 concerning the Townsend Acts.

committee presented its results to the town meeting who would then vote on the proposals. Town meetings were the most crucial organ for the people of Massachusetts. They comprised all freeholders and others eligible to vote. At these meetings, the colonists discussed their most pressing issues. Moreover, they represented everyone's voice. They set the meetings up democratically so it would go through a series of stages with the end result being representative of everyone's opinion. This served as a model for all town meetings, county conventions and ultimately, the Provincial Congress.<sup>9</sup>

Boston held a town meeting on May 13, 1774, the same day Governor Gage arrived in Massachusetts. The meeting on this date shows the sense of urgency of the Bostonians' situation. On May 12, 1774, one day before Gage's arrival, the Boston Committee of Correspondence already had drafted a circular letter to the towns advising them about the new laws that recently passed royal assent, and sent it out on May 13.<sup>10</sup> This served as a recruitment letter to attempt to unite the towns in order to aid Boston through the calamity it would experience soon. Patriots drafted these circular letters at these town meetings, and sent them to every town in the province to inform them about the current state of affairs. The Boston Committee of Correspondence would send these letters via nightriders on horseback.<sup>11</sup> They anxiously waited for the responses of each town. Boston wanted to get this done quickly because they had only three weeks remaining before the Port Bill went into effect. At this meeting, they resolved to elect a committee to further discuss the Port Bill. After they elected the committee, they put forth a motion to read and discuss a letter from Marblehead proposing

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<sup>9</sup> For an example of this process described, see Boston Town Meeting, May 10, 1774, in Wroth ed., *Province in Rebellion*, 64-72; Richard D. Brown, *Revolutionary Politics in Massachusetts: The Boston Committee of Correspondence and the Towns 1772-1774* (Cambridge, Mass: Harvard University Press, 1970).

<sup>10</sup> Committee Circular Letter to the Massachusetts Towns, May 12, 1774, in Wroth ed., *Province in Rebellion*, 94.

<sup>11</sup> Richard D. Brown, *Revolutionary Politics in Massachusetts*.

that Boston should write a circular letter to inform the other towns about the present state of affairs. Considering this letter, Boston resolved to elect another committee to write a circular letter and present it to the Committee of Correspondence to dispatch messengers to all the towns in Massachusetts.<sup>12</sup>

The patriots present at this meeting also sensed that if the other colonies would join with them in enacting a non-importation agreement, colonial unity would force Great Britain to repeal the Coercive Acts. Thus, the committee resolved not only to dispatch a circular letter to the Massachusetts Towns, but also to every colony in America. The radical circular letters called for a suspension of trade with Great Britain, and stressed the importance of forming a unified common cause against tyrannical measures.<sup>13</sup> Needless to say, Boston had informed every town in the province of their plight, and continued to try to motivate the people to disregard the late acts passed by Parliament.

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General Gage was aware of the proceedings that occurred within these meetings. On June 26, 1774, General Gage wrote to Dartmouth saying:

A committee of the House sat for some days keeping their business very secret. They made their report I am informed on 17 May when the door was ordered to be locked, but their proceedings getting abroad, I sent the secretary to dissolve them; they would not admit him, and he was obliged to do it by Proclamation on the outside of the door. *I believe a congress of some sort will be obtained, but when or how it will be composed is yet at a distance.*<sup>14</sup>

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<sup>12</sup> Town Meeting in Boston, May 13, 1774, in Wroth ed., *Province in Rebellion*, 75-76.

<sup>13</sup> For a more detailed look at the general grievances and the sense of urgency the Bostonians felt they were under see Committee Circular Letter to Massachusetts Towns, May 13, 1774, in Wroth ed., *Province in Rebellion*, 94.

<sup>14</sup> General Gage to Lord Dartmouth, June 26, 1774, in Carter, ed., *Gage Correspondence*, I, 357, emphasis added.

As early as June 26, 1774, Governor Gage had intelligence that the towns would eventually create some sort of an extra-legal Provincial Congress: the shadow government of the Massachusetts rebellion. Historian Robert Gross discussed how Gage received his intelligence:

Gage did not depend only on foreign spies. His secret agents were also operating deep within the American camp. One informant may have been a Concord resident. He passed along up-to-date lists of the exact hiding places of all military supplies in town. Another spy was probably Dr. Benjamin Church, a trusted member of the Committee of Safety [in the Provincial Congress]. Church was a zealous Boston Whig who also kept an expensive mistress; he chose passion over patriotism and entered Gage's pay. In several weeks before the battle [of Lexington and Concord], Church-or else another inside in the top Whig leadership- filed regular reports on the changing political mood behind the closed doors of the Provincial Congress.<sup>15</sup>

Gage's success at acquiring intelligence also was contingent on the help of local Tories.

Nonetheless, by August 1774, Gage had to rely primarily on spies since the majority of Tories fled to Boston for protection against the patriots.

General Gage's early actions taken to prevent rebellious ideals promoted throughout Massachusetts received great applause from the Crown. On August 3, 1774, General Gage received a letter from Lord Dartmouth praising his decision to dissolve the General Court:

It is evident that although the measures adopted respecting the Province of the Massachusetts's Bay have not yet had, and will not perhaps for some time have their complete effect, yet they have so far exceeded as to encourage many good men to stand forth in opposition to those who are wickedly, but vainly endeavoring to urge the People to violent and Precipitated resolutions. The conduct of the House of Representatives, upon their meeting at Salem, was no more than might have been expected from such an Assembly. Their dissolution was a very proper measure... and looked very highly upon by the king.<sup>16</sup>

Two significant issues arise from this correspondence. First, the Crown still viewed General Gage as an appropriate person for this governorship. The London administration viewed Gage

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<sup>15</sup> Robert A. Gross, *Minutemen and their World* (New York: Hill and Wang, 1976), 112; Allen French, *General Gage's Informers, New Material upon Lexington and Concord. Benjamin Thompson as Loyalist and the Treachery of Benjamin Church, Jr.* (Ann Arbor: The University of Michigan Press, 1932); David Hackett Fischer, *Paul Revere's Ride* (Oxford: Oxford University Press, 1994).

<sup>16</sup> Lord Dartmouth to General Gage, August 3, 1774, in Carter ed., *Gage Correspondence*, II, 170.

as an appropriate selection for the job because of his track record. No person arguably could have been more suitable for the job given the extenuating circumstances and his history as the Commander and Chief of North America. Moreover, his Whig ideology enabled him to act civilly during his tenure as governor of Massachusetts. Second, the question of when he received this letter was significant.

In order to receive instructions from the Crown on how to implement certain actions, General Gage had to wait roughly four to six weeks to receive a correspondence from a royal official in England. These times constraints severely limited Gage's ability to perform the duties the Crown actually wanted him to do. Moreover, by the time Gage had written a letter to England describing the state of affairs in early June when the colony was fairly stable, a royal official in England would not receive this letter until almost August. By the time England would receive Gage's correspondence, an additional four to six weeks of illicit activities had accumulated growing in number and power by the week. This forced Gage to use his discretion more often than not without receiving timely instructions from Great Britain. Without official word from England, Gage did not want to be in any position that would start a war. The patriots soon discovered that they could test Gage's power to suppress their activities, and Gage would refuse to use force without explicit instructions from Great Britain.

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While Boston anxiously awaited the return of responses from the circular letter they distributed to the towns and other colonies, they continued to meet frequently to stay abreast of affairs throughout the colony. Correspondences throughout Massachusetts to the Committee of Correspondence came pouring into Boston. In a matter of two weeks, they received fifteen

correspondences from various towns throughout Massachusetts.<sup>17</sup> Boston had to have been pleased with the swiftness of responses from various towns given the burdens of communication. Nevertheless, the town Lunenburg from Worcester County responded to the circular letter:

It appears to us the *only* Remedy we have left...is for all America as one man to join in the Strongest Forms to and with Each other in an entire non-importation and Exportation agreement to and from Great Britain till we are fully redressed by the British Court and in case any of the Americans should refuse to neglect to join... in said agreement for the good of the Whole to consider all Such as our Worst Enemies and therefore to have no Commerce or Dealing with them on any Terms or Conditions whatever.<sup>18</sup>

Not every town responded with complete agreement towards Boston's terms from the Circular Letter. The radical measures Boston proposed generated cautious responses from various towns. Most of the towns sympathized with Boston; however, a general divide between eastern and western politics still prevailed at this time.

There was a significant difference, however, between sympathy and support. Every letter the Boston Committee received expressed concern about the oppressive measures implemented on Boston. Nonetheless, the rural towns virtually unaffected by Port Bill had no reason to actively involve themselves in the situation. Although they expressed concern for their brethren, by no means did the quiet, small farm town in the west want to get involved in political matters with Boston. The western towns did not particularly trust the Boston merchants and refused to sign on to such radical measures at the time. Moreover, they had no reason to sign onto a non-importation agreement because the metropolitan life did not affect their rural lives. They acknowledged that although they did not agree with the latest repressive measures implemented by Great Britain, non-importation was too radical an approach for them. They urged the Bostonians to act cautiously in the decisions they made. For now, the patriotic movement remained in the Boston metropolis and would take something much more drastic for

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<sup>17</sup>See Wroth ed., *Province in Rebellion*, 460-484.

<sup>18</sup> Lunenburg Committee to Boston Committee, May 31, 1774, in Wroth ed., *Province in Rebellion*, 462.



the movement to shift to the countryside. These preliminary acts only caused a significant amount of plight to Boston. The Port Bill essentially impoverished the city. Some towns sent grain and other provisions to Boston to ease the burden of these new acts, but refused to risk their lives for something that hardly affected them.

Whether or not a town agreed with the implications of the circular letter, the majority understood the gravity of the situation. For instance, in a town meeting in Chelmsford, Massachusetts the records stated, “That it is the opinion of this town that the present day is as dark and distressing a day as this country ever experienced (upon receiving word of the Port-Bill). Perhaps the liberties of this land, in no period, from the first settlement of our fathers, were ever so endangered as at present.”<sup>19</sup> Moreover, the Pepperell Committee of Correspondence sent a letter to Boston stating:

We can assure you it gives us great grief to hear the burdens and impositions you are laboring under. It is a matter of joy to hear you are determined to recover, secure and defend our just rights and privileges. In all lawful and laudable measures you may depend upon all the aid and assistance in the power of this district to defend our just rights and liberties.<sup>20</sup>

Although the Pepperell Committee of Correspondence offered their help, they limited their support under the condition of the legality of their actions. Moreover, several more towns offered qualified support. Hopkinton, a town in the eastern countryside of Massachusetts, expressed the same willingness to support Boston under the conditions of legality.

We also resolve by all constitutional Legal and loyal means in our power, to endeavor the preservation of our charter rights and privileges, that as we received them from our ancestors we may transmit them inviolate to posterity.<sup>21</sup>

Acting legally provides legitimacy to their actions in the eyes of the people. Moreover, they did not want to be hanged for something that primarily affected the Bostonians. The Massachusetts

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<sup>19</sup> Chelmsford Town Records, May 30, 1774, in Wroth ed., *Province in Rebellion*, 490.

<sup>20</sup> Pepperell Committee to Boston Committee, May 27, 1774, in Wroth ed., *Province in Rebellion*, 460.

<sup>21</sup> Hopkinton to Boston, July 14, 1774, in Wroth ed., *Province in Rebellion*, 743.

inhabitants understood that the deplorable situation in Boston and infringement on their charter rights; however, the truly radical fervor remained in Boston until Great Britain introduced new legislation that would directly affect every inhabitant of Massachusetts. The Popular Party in Boston had not found a way yet to provide an appealing cause to unite the population.

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Meanwhile, General Gage experienced the limitations of his power almost instantly during the initial stages acting as the newly appointed governor. Although he received a formal acceptance in Boston, many feared that since the Commander in Chief of North America was now the governor of Massachusetts that any hope of a civil government ever returning had diminished. On May 30, 1774, the *Boston Gazette* published one of General Gage's first actions as the new governor. Gage rejected thirteen of the newly appointed twenty-eight people to the Governor's Council much to the dismay of the Popular Party controlled assembly.<sup>22</sup> Furthermore, Gage realized that the patriot-dominated General Court had become an increasing problem for him, so on June 17, 1774 he dissolved it. Although this may seem controversial at first glance, royal governors in every colony had consistently dissolved their assemblies from the beginning of their emergence in the colonies. They generally dissolved them when the assembly challenged them in questions of policy.

Gage's power was tested thus for the first time in June. Although he lawfully dissolved the General Court, the members continued to meet without authority. Essentially, they acted as a shadow government. They discussed provincial affairs without Gage's authority and acted as an extra-legal body of government. Gage directed his secretary to dissolve it once again only to find that the door was locked upon his arrival. The door remained locked, the General Court

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<sup>22</sup> *Boston Gazette*, May 30, 1774.

continued on with its business, and the secretary left a note on the door proclaiming the dissolution of the General Court.<sup>23</sup>

This event set the standard for how well the Massachusetts inhabitants would receive Gage's proclamations. Nonetheless, he did make a solid effort to enforce his first proclamation. He understood that any show of military force would create an even more unsteady atmosphere and possibly launch hostilities. For now, General Gage had to hope that the Massachusetts inhabitants would comply with his proclamations and the new acts until the culprits of the Boston Tea Party repaid the reparations for the tea. Moreover, he hoped that the colonists would regard royal authority as the sovereign and legitimate power in Massachusetts, and for the rebels to refrain from defying his actions by forming rebellious committees and shadow governments that would persuade other Massachusetts inhabitants to join their cause.

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When the British government issued more acts in the beginning of June that would not only affect Boston but the entire colony, General Gage's hopes for having any governmental influence in the countryside severely waned. Prior to the arrival of these new acts; however, General Gage still felt like he had everything relatively in control. He wrote a letter to Lord Dartmouth on July 20, 1774 asserting:

Affairs continue here much in the same situation as when I wrote to you May 6, though I don't find that the merchants have repeated their attempt to comply with the Port-Bill with the Spirit I had hoped for. The great object here has been to persuade the other colonies to make the cause of Boston, the common cause of America. I have not received the new act for the better Government of this province, though it is printed here, and many have told me that I must expect all opposition of its execution.<sup>24</sup>

In an effort to increase Gage's power in Massachusetts, Parliament issued two new oppressive laws that would give sweeping power to Gage and the British Administration over

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<sup>23</sup> *Boston Gazette*, May 30, 1774.

<sup>24</sup> General Gage to Lord Dartmouth, July 20, 1774, in Carter, ed., *Gage Correspondence*, I, 361.

colonial matters. On June, 6 1774 The *Boston Gazette* published the latest acts that Parliament had passed.<sup>25</sup> These acts were not supposed to be enforced until August 1, 1774, but provided sweeping language that would ultimately render Massachusetts' charter void. The two acts published were "a bill for better regulating the government of the province of Massachusetts Bay" (The Massachusetts Government Act) and "a bill for the impartial administration of justice" (The Murder Act). The Massachusetts Government Act essentially revoked the charter granted to Massachusetts Bay by King William and Queen Mary in 1691. Prior to the implementation of these new acts, the Massachusetts inhabitants had a significant amount of autonomy and control over their provincial government. They elected local officials, and mainly governed themselves over local matters.

The Murder Act received its name from the Massachusetts inhabitants because royal officials who committed murder or any other capital offences in the colony did not have to stand trial in Massachusetts, but instead shipped back to England to face their charges. This was supposed to only be used in instances where officers were suppressing riots, but General Gage ultimately had the discretion to decide which cases would be heard in England, thus giving the British significant power in the justice system.<sup>26</sup> A royal official could in theory murder a Massachusetts inhabitant, and would more than likely have the charges dropped back in England since Great Britain viewed the colony's actions as defiant and rebellious while the royal official's intentions were noble.

These new acts essentially stripped every Massachusetts inhabitant of their charter rights. This generated a rift between the colony and Great Britain. Up to this point, the Massachusetts inhabitants considered themselves as English citizens subject to the crown. These new acts

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<sup>25</sup> *Boston Gazette*, June 6, 1774.

<sup>26</sup> Lord Dartmouth to Gage, received August 6, 1774, in Wroth ed., *Province in Rebellion*, 502.

qualified their citizenship, and now made a distinction between Englishmen and the people of Massachusetts. This allowed them to form their own identity as a common group of people who agreed that the crown treated them no better than slaves. Under the new acts, Governor Gages appointed all judges and any other court related officials. The Crown appointed the upper branch (the council) of the legislature; the governed had to approve a town meeting's agenda before they could call a new meeting.<sup>27</sup> Lastly, governor-appointed sheriffs appointed all jurors.<sup>28</sup>

The inherent controversy of the new acts did not go unnoticed by British officials. General Gage received a letter from Lord Dartmouth on August 23, 1774 urging him "to use extreme caution when sending people to Europe to be tried."<sup>29</sup> Nonetheless, General Gage prepared himself for the opposition he would receive from enforcing these acts. He alluded to predictions that he believed the opposition would enforce to have these new laws repealed in a letter to Lord Dartmouth on July 27, 1774. He wrote:

Whatever the opposition to the new act is I will do my best to defeat it, and take every step I can to enforce the law. I imagine they propose to intimidate the new counsellors from accepting their commissions, as also sheriffs, Clerks of Courts, and to encourage their selectmen to call their town-meetings in their usual manner. They are at least a very numerous and powerful faction.<sup>30</sup>

Gage knew exactly how the colonists would attempt to have these new acts repealed; however, in the following months he would discover that he had inadequate provisions to stop what he knew from occurring.

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<sup>27</sup> The upper branch of the legislature used to be elected annually by the eligible voters in Massachusetts; See Lord Dartmouth to Gage, August 6, 1774, in Wroth ed., *Province in Rebellion*, 503.

<sup>28</sup> Massachusetts Government Act, received August 6, 1774, in Wroth ed., *Province in Rebellion*, 506-518.

<sup>29</sup> In addition to urging General Gage to use caution when implementing these new acts, he also continues to praise General Gage for his efforts to suppress the rebellious movement; see Lord Dartmouth to General Gage, August 23, 1774, in Carter, ed., *Gage Correspondence*, II, 171.

<sup>30</sup> General Gage to Lord Dartmouth, July 27, 1774, in Carter, ed., *Gage Correspondence*, I, 363.

These two acts caused great upheaval in the countryside and metropolis because everyone felt the burden from them. Great Britain attempted to punish the Bostonians more so with these new acts; however, in the process unintentionally ignited the countryside. The acts essentially transferred the focus of political resistance to British authority from Boston to the country towns. The radical nature of their resolutions in the ensuing months made the Bostonians appear politically moderate. The farther the patriotic activity moved from Boston, the more drastic the situation appeared for Gage. He would soon realize that it was too costly to enforce counter-insurgency in the countryside. The patriots exploited this limitation to the furthest extent.

Following the publication of the Coercive Acts in the *Boston Gazette* on June 6, 1774, town activity throughout Massachusetts increased drastically. The publication of these acts in the newspaper before they actually arrived gave the patriots roughly two months to design an effective plan to repeal these acts and convince the population to unite with their cause. The patriots had political bargaining power now with the rest of the population of Massachusetts. The Coercive Acts no longer only persecute Boston. Every town felt the burden from the new acts, and the patriots exploited that to their benefit.

Moreover, Bostonians knew they could not fight Great Britain alone. They needed the support of the entire country to lay the foundation for an effective governmental body that would require the consent and support of the people. On the eve of the Revolutionary War, 95% of the inhabitants of Massachusetts lived outside of Boston.<sup>31</sup> Prior to the arrival of these new acts, the Crown oppressed roughly 5% of the population in Massachusetts. These new acts, however, ignited the countryside and now affected every farmer, merchant, and person in Massachusetts.

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<sup>31</sup> Ray Raphael, *The First American Revolution: Before Lexington and Concord* (New York: The New Press, 2002), 7.

Bostonians moved quickly to spread the word about these acts to influence the countryside to join their cause. On June 8, 1774, the Boston Committee of Correspondence drafted and made public the Solemn League and Covenant. In a Circular Letter transmitting the Solemn League and Covenant, it said “a bill has been brought into Parliament apparently with the purpose of taking away our charter rights...Surely if we suffer these things we are the most abject slaves.”<sup>32</sup> The Boston Committee of Correspondence understood the significance of the new acts, and the sense of urgency was evident in the draft of the Solemn League and Covenant. It called for a complete end to commercial ties with Great Britain after October 1, 1774. Furthermore, they agreed that after “this covenant has been offered to any person, and they refuse to sign it, they will consider them in the same light as contumacious importers, and withdraw all commercial connections with them forever, and publish their names to the world.”<sup>33</sup> Worcester developed a similar but more covenant than Boston’s Solemn League on June 13, 1774. Worcester wanted to end all commercial ties after August 31, 1774. Worcester perceived the imminent dangers of the Port-Bill, and realized the Massachusetts inhabitants needed to take action sooner rather than later.<sup>34</sup>

The Boston Committee of Correspondence received mixed responses from their Covenant. For instance, the Marblehead Committee of Correspondence wrote to the Boston Committee of Correspondence saying that the town conceives it to be the utmost consequence to prevent in the general plans, that may be adopted, any circumstance that may tend to divide the people, or lose any now who are well attached to the common cause.”<sup>35</sup> In other words,

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<sup>32</sup> Circular Letter Transmitting the Solemn League and Covenant, June 8, 1774, in Wroth ed., *Province in Rebellion*, 54.

<sup>33</sup> The Solemn League and Covenant, June 8, 1774, in Wroth ed., *Province in Rebellion*, 456-458; Worcester County also created another Solemn League and Covenant of much similar requirements. To get a more detailed look see Worcester Covenant see June 13, 1774, in Wroth ed., *Province in Rebellion*, 500-502.

<sup>34</sup> Worcester Circular Letter and Covenant, June 13, 1774, in Wroth ed., *Province in Rebellion*, 354-356.

<sup>35</sup> Marblehead Committee to Boston Committee, June 18, 1774 in Wroth ed., *Province in Rebellion*, 709.

Massachusetts needed to speak unanimously, and any measure perceived too extreme would further divide the people. Nonetheless, they went on to say “it is thought that highly necessary, that non-consumption should be adopted, but by restricting the time too closely, and commencing it October 1 instead of January may engage the interest of the trade of Boston against the plan, and then it will be difficult to make it general in the province.”<sup>36</sup> Marblehead offered to join in some sort on non-consumption agreement; however, they felt that the October deadline did not provide enough time to make Boston’s cause, the common cause.

The Solemn League and Covenant was a radical idea for towns virtually unaffected by the Port-Bill. Furthermore, when local townsmen read the Solemn League and Covenant at a Boston town meeting on June 27, 1774, they put forth a motion for censuring and annihilating the Boston Committee of Correspondence.<sup>37</sup> Correspondences from western Massachusetts unveiled the limitations of Boston’s influence in the countryside. On July 9, 1774, the town of Charlemont wrote to the Boston Committee of Correspondence in reference to the Covenant.

Gentleman, the reason of our not signing the covenant at our meeting was this, we suppose it would answer no valuable purpose for the inhabitants of this infant settlement to sign unless the people in general should adopt the plan but on the other hand might be attended with inconvenience and it is generally reported in these parts that but very few towns fall in with the proposals. It is likewise supposed by some that the signing of the covenant is interfering with the committees of several colonies appointed for a general congress.<sup>38</sup>

The language of the Solemn League was indeed very radical. It generated cautious responses from various towns. The towns wanted to help Boston and alleviate the current threat of the new acts, but did not want to do anything too radical that would dissuade a large majority of the

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<sup>36</sup> Marblehead Committee to Boston Committee, June 18, 1774, in Wroth ed., *Province in Rebellion*, 709.

<sup>37</sup> The motion was overwhelmingly overruled; however, this shows that some people were not ready to sign their names on something so radical; see Boston Town Meeting, June 27, 1774, in Wroth ed., *Province in Rebellion*, 630.

<sup>38</sup> Charlemont Committee to Boston Committee, July 19, 1774, in Wroth ed., *Province in Rebellion*, 734.



towns from staying in the common cause. Moreover, most of the towns were not ready to plunge themselves into a war with the greatest power in the world.

Thus, the Solemn League and Covenant generated a significant split between the Massachusetts inhabitants, but also allowed for the gradual shift of the patriotic movement from the metropolis to the countryside. The Boston Committee of Correspondence informed the entire Colony about their plight. With this information, towns made informed decisions about whether or not they wanted to join with patriots. Politically inactive towns in rural Massachusetts found themselves joining the common cause. The further the concentration of patriotic activity moved away from Boston, the less power Gage had to suppress illicit activities. With the limited troops and resources he possessed, General Gage concentrated his troops around Boston to protect the areas he knew that he still influenced. Without Gage's power in the countryside, the loyalists fled their homes for protection within the city thus allowing for the patriotic movement to thrive outside Boston.

With this shift now in progress, members of the Boston Committee of Correspondence rode from town to town in the eastern countryside attempting to persuade people to sign their names on the Solemn League and Covenant. Public shaming and humiliation were not uncommon if people did not sign the covenant. These included public recantations of positions, tarring and feathering loyalists, and dissolution of political ties with long-time friends. While the Boston Committee of Correspondence spread the Solemn League and Covenant, General Gage tried to exert his power once again and attempted to suppress the spread of the patriotic ideology. On June 29, 1774, General Gage delivered a "Proclamation against Illicit Combinations."

Whereas certain persons, calling themselves a Committee of Correspondence for the town of Boston, have lately presumed to make or caused to be made, a certain unlawful instrument, purporting to be a solemn league and covenant, intended to be signed by the inhabitants of this province, until certain actions of British government are repealed. I

[Governor Gage] have thought fit to earnestly caution all persons against signing the aforesaid or similar covenant.<sup>39</sup>

The committees of correspondence largely ignored Gage's attempt to abolish the Solemn League and Covenant. They perceived non-importation being the best way to repeal the Port-Bill. Thus, the patriots openly defied Gage's authority for a second time. Here was where Gage's dilemma became particularly apparent. He could not use the army to suppress these illicit activities because he would enrage the moderates and add more people to the patriotic side. On the other hand, he needed to suppress these activities in order to preserve order and protect the loyalists. He only could issue proclamations that went largely ignored. This drastically hurt Gage's ability to suppress anymore illicit activities in the future. Furthermore, it ruined his reputation, and the patriots perceived him as weak. This provided a foundation for the patriots to begin the workings for a shadow government. They exploited Gage's weaknesses to their advantage, and mobilized the population in the countryside to perceive their actions as legitimate while deeming the new acts illegitimate.

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During July 1774, patriots made preparations for the arrival of the Massachusetts Government Act and Administration of Justice Act. Boston developed several committees in order deal with the ill effects from the coercive acts. For example, they developed a committee on ways and means for dealing with the poor and a committee of safety. The Bostonians understood the horrible effects these acts would have on the colony and created separate committees to attempt to solve the problem accordingly.<sup>40</sup> In addition to the creation of committees, letters from towns throughout Massachusetts came pouring in to the Boston

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<sup>39</sup> General Gage also empowered all the magistrates and local officers to arrest and charge any person that they saw distributing or signing the Solemn League and Covenant; see a Proclamation against Illicit Combinations- June 29, 1774, in Wroth ed., *Province in Rebellion*, 545-547.

<sup>40</sup> Boston Town Meeting- July 26, 1774, in Wroth ed., *Province in Rebellion*, 637-642.

Committee of Correspondence stating their stance on the Solemn League and Covenant. Very few towns whole-heartedly agreed with every word of the proposition, and many attached resolves stating how they would alter it. Needless to say, Boston continued to send propaganda messages to neighboring towns in order to unify the Massachusetts inhabitants with the patriot's cause.

Their method worked: the towns were unifying behind the common cause. For instance, on July 18, 1774, the Marblehead Committee wrote to the Boston Committee arguing:

The act affecting the Constitution of the Province, breaking up Solemn Covenants, and annihilating in Government ever principle of justice, must work its own dissolution; for a throne cannot be established in unrighteousness. It appears only necessary that a uniformity of conduct may take place through the province with respect to the act, and every person whether counselor, judge, justice, sheriff, juror or attorney who shall presume to carry into execution such a flagrant piece of injustice, be conceived that he from that time will be obnoxious to his injured countrymen, and that every legal step will be used by his community to resent the injury. Surely no government can proceed in its measures when the whole people oppose it.<sup>41</sup>

Two important notions arise from this correspondence. First, the rhetoric in this letter and previous town correspondences was much more radical because every town was affected by the two new acts. As mentioned earlier, Boston politically awakened the countryside by informing them about their quandary. Once they were in the communication network, it was much easier for Boston to unite the colony behind patriotic ideals because now Boston's plight was Massachusetts' plight. Great Britain attempted to make an example out of Massachusetts which made it much easier for the Massachusetts inhabitants to unite behind a common cause.

As the summer continued, the patriots generated a much more advanced and efficient communication network. Innovative towns proposed county meetings because they realized the benefits of working together. On July 6, 1774 a group of sixty gentlemen from towns throughout

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<sup>41</sup> Marblehead Committee to Boston Committee, July 28, 1774, in Wroth ed., *Province in Rebellion*, 759.

Berkshire County met together to form a county convention.<sup>42</sup> Not only was this the first joint-town meeting in a county, but it was also the most western county in Massachusetts, and marked the breakdown in the power of the Hampshire “River Gods,” the Court party magnates who had long controlled politics in the western region.<sup>43</sup> Gage’s limitations of his authority had already been exposed several times in areas nearby Boston, and now the most western county formed in a convention to discuss ways to repeal the Coercive Acts. If Gage was unable to suppress the General Court from assembling twenty miles away from him, how would he prevent this convention from meeting on the other side of the colony? This convention revealed a clear shift of the patriotic movement to the countryside, and established the model for the other towns to form county conventions. The Berkshire Convention agreed that they intended to abide by the Solemn League and Covenant, and planned to execute it to the utmost of their abilities.<sup>44</sup>

Something even more groundbreaking that came from Berkshire; however, was a letter written from the Berkshire Committee of Correspondence who had been directly talking to the County Convention. On July 25, 1774, roughly one week before the new British acts went into effect, the Berkshire Committee of Correspondence wrote a letter to the Boston Committee of Correspondence.

Our county court is to sit the 16 of August...but we are persuaded that no business can be transacted at the said court but under and in submission with those acts...Our court being the first in the province after taking place of those acts, we ask your advice and opinion. We expect to get it adjourned unless we should hear from you.<sup>45</sup>

The Berkshire Committee of Correspondence proposed to take action further than the Solemn League and Covenant, and refused to allow the new courts to sit. Berkshire wanted to remove

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<sup>42</sup> Berkshire County Convention- Proceeding, July 6, 1774, in Wroth ed., *Province in Rebellion*, 873-876.

<sup>43</sup> Robert Zernsky, *Merchants, Farmers and River gods: An Essay on Eighteenth-Century American Politics* (Boston: Gambit, 1971).

<sup>44</sup> Berkshire County Convention- Proceeding, July 6, 1774, in Wroth ed., *Province in Rebellion*, 873-876.

<sup>45</sup> Berkshire Committee to Boston Committee, July 25, 1774 in Wroth ed., *Province in Rebellion*, 753.

what the patriots perceived as an illegitimate government acting in defiance to their charter. Boston responded to this letter saying “we have yet to receive no authentic advice that the bills have passed the Royal Assent; but should that be the case, nothing in our opinion could be better concerted than the measures come into by your county to prevent the court’s sitting.”<sup>46</sup> Boston approved the radical idea of closing the courts. How, then, would Gage respond to this by trying to prevent people from closing the courts in the farthest county from Boston?

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Meanwhile, Gage made preparations for the arrival of the new acts. His last attempt to assuage the patriotic fervor prior to the arrival of the acts came on July 21, 1774. Gage issued the “Proclamation Encouraging Piety and Virtue” to make one final appeal to morality and religious minds of the people of Massachusetts.

I therefore...publish this proclamation, exhorting all his Majesty’s subjects to avoid all hypocrisy, sedition, licentiousness, and all other immoralities, and to have a graceful sense of all God’s mercies, making the divine law the rule of their conduct. I therefore, command all judges, sheriffs, justices, and all other officers, to use their utmost endeavors to enforce the laws for promoting religion and virtue, and restraining all vice and sedition.<sup>47</sup>

After the first two attempts Gage tried to assert his power, it was apparent that this had little influence on the patriots. Nonetheless, he did everything he could in his power without using force to attempt to contain the patriotic movement. Gage perceived the gravity of the situation and the limitations of his power. The insurgency generated more power and unity. With just ten days remaining until the new acts would be in effect, Governor Gage could only anxiously wait until he would receive his instructions on how to implement the Massachusetts Government Act and the Administration of Justice Act.

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<sup>46</sup> Boston Committee to Berkshire Committee, July 31, 1774, in Wroth ed., *Province in Rebellion*, 767-768.

<sup>47</sup> A Proclamation encouraging Piety and Virtue, July 21, 1774, in Wroth ed., *Province in Rebellion*, 548-549.

## Chapter 2: The Counties Rise

Although the two acts were supposed to be effective as of August 1, 1774, General Gage did not receive his instructions from Lord Dartmouth on how to enforce them until August 6, 1774. With counties talking about closing their courts and not importing British goods, Gage's attempts to enforce these acts would take a serious amount of determination and additional provisions from England which he would not receive. August 1774 was a pivotal month for both Gage and the patriots and was the turning point in the battle for political sovereignty and legitimacy. In this correspondence, Dartmouth wrote to Gage:

These acts close the consideration of what relates to the state of your government, and it is hoped that they will have good effect to give vigor and activity to civil authority, to prevent those unwarrantable assemblings of the people for factious purposes, which have been the source of so much mischief; and to secure an impartial administration of justice in all cases where the authority of the kingdom is in question.<sup>1</sup>

The British administration perceived town meetings as the central force behind the patriotic movement. They were crucial for the success of the proliferation of patriotic ideals. These new acts imposed potential serious limitations for the movement. They would need crafty lawyers to find loopholes in these acts in order to find legal means to continue meeting. Nonetheless, the towns congregated since they first received their charter in 1691.

In addition to the revocation of Massachusetts' charter, the King appointed Gage a council to aid him in the enforcement of these acts. The acts required him to assemble the mandamus council and administer the oaths pledging their allegiance to the King.<sup>2</sup> Before Gage even received the acts, the King had already nominated thirty-two people to form the new mandamus council. He carried out his instructions faithfully and assembled the appointed men

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<sup>1</sup> Lord Dartmouth to Gage, received August 6, 1774, in Wroth ed., *Province in Rebellion*, 502.

<sup>2</sup> Additional Instructions, received August 6, 1774, in Wroth ed., *Province in Rebellion*, 519-523.

in Salem to administer the oaths. Only eleven of the thirty-six appointees arrived in Salem August 8, 1774 ready to take the oath.<sup>3</sup> This probably was a huge disappointment for Gage, but at least he had some members present ready to enforce these new acts. Nonetheless, roughly a week later he now had 24 out of the 36 appointed members of the mandamus council. These members that signed on, however, would soon face oppressive scrutiny for taking this position, and many would be forced to resign their posts within the month.

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The British administration first dissolved the general court and now it revoked their charter. The acknowledgement of royal assent to these acts mobilized the countryside and further split patriots and loyalists. News of the arrival of the acts spread like wildfire throughout Massachusetts. Towns that prepared for months for the arrival of the acts met more frequently to attempt to resolve the present crisis. Neighboring towns sent new, radical ideas to Boston. For instance on July 29, 1774, the Dartmouth Committee wrote to the Boston Committee proclaiming:

It appears to me, if there is any force in the late acts of Parliament, they have let us, a float, that is thrown us into a state of nature; we now have a fair opportunity of choosing what form of government we think proper, and, contract, with any nation, we please, for a king to rule over us, as the Parliament has pleased to vacate part of our charter, if they had a right to take a way part, they must have a right to take away the whole; and whenever affairs come to be settled, it would be best for us to form a new charter for ourselves.<sup>4</sup>

A town that had been politically isolated for much of their existence proposed forming a new style of government and/or even choosing to align themselves under a new country.

Massachusetts inhabitants clearly disassociated themselves from the English identity and

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<sup>3</sup> Administration of the Oaths, August 8, 1774, in Wroth ed., *Province in Rebellion*, 522-523.

<sup>4</sup> Dartmouth Committee to Boston Committee, July 29, 1774, in Wroth ed., *Province in Rebellion*, 764.

continuously formed a new patriotic identity that wanted to oust the British influence from their colony.

This concept of a separate identity was pivotal for the leaders of the patriotic movement to gain legitimacy. They patriots had to portray the colony's independence from British influence to the rest of the towns throughout Massachusetts. For instance, the Boston Committee of Correspondence wrote to the Marblehead Committee of Correspondence saying, "The reason which induces us to wish that nothing may be deemed absolutely necessary to be imported from Britain, is, that we would impress our enemies with this idea that we are not as dependent on Great Britain as they are willing to suppose."<sup>5</sup> If Boston could make the other towns believe that they were self-sufficient and did not need imported goods from Great Britain, then it would help them formulate a separate identity thus making them more willing to contribute to the common cause. If they could unite under a common cause, then the population would perceive their actions as legitimate, and continue to deem the alteration of their charter an illegitimate form of government.

The radical propositions from the towns generated radical actions. On August 15, 1774, the Worcester Committee of Correspondence wrote a letter to the Boston Committee of Correspondence proposing something groundbreaking for the patriotic movement.

As we [Worcester Committee of Correspondence] think it is highly necessary the counties through the Province should adopt as near as possible one form of procedure, we take the liberty to propose if you think best that you appoint a meeting of your committee...and request the attendance of the committees of Charlestown, Cambridge, and many more neighboring towns in that county...and we will depute one or more committees to attend.<sup>6</sup>

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<sup>5</sup> Boston Committee to Marblehead Committee, July 29, 1774, in Wroth ed., *Province in Rebellion*, 766.

<sup>6</sup> Worcester Committee of Correspondence believed that if towns from Middlesex, Suffolk, and Worcester congregated together, then other committees would be inspired to join with them, thus being able to speak as a province in one voice; see Worcester Committee to Boston Committee, August 15, 1774, in Wroth ed., *Province in Rebellion*, 808.



Not only did Worcester propose a joint county meeting, but also, they largely ignored the new acts that prevented the assembling of town meetings without the Governor's consent. Moreover, by proposing a joint-county meeting, Massachusetts moved one step closer to forming a unified shadow government. Boston replied to Worcester saying that not only would they invite the suggested counties but in addition, they would invite Salem and Marblehead so Essex County could be included.<sup>7</sup> Boston overwhelmingly supported this idea and agreed that it would produce favorable effects. Thomas Gardner wrote to the Boston Committee of Correspondence describing the town activity going on throughout Massachusetts on August 12, 1774.

I am informed from good authority that the Committees of Correspondence for the several towns in the county of Worcester have assembled, are in high spirits and perfectly united. The committees for Cambridge and Charlestown are to have a conference tomorrow and I trust the whole county of Middlesex will soon be assembled by delegates from the respective towns in the said county. I have the greatest reason to believe that people will choose rather to fall gloriously in the cause of their country, than meanly submit to slavery.<sup>8</sup>

By mid August, most of the towns had decided to propose county meetings. In a matter of weeks, they would convene these meetings and adopt radical resolves that would further limit Gage's legitimacy.

Gage had little power to prevent these meetings from occurring. These county meetings facilitated a stronger, more unified patriotic movement. Next, the leaders needed to devise a method to allow representatives from each county to form into a provincial congress. As early as August, towns proposed the idea of a meeting of every county in Massachusetts. With each succeeding step, the patriots continued to gain more legitimacy with the people in Massachusetts and throughout America. By appearing orderly and legal, the people aligned their interests with the patriots fueling them to form a shadow government.

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<sup>7</sup> Boston Committee to Worcester Committee, August 17, 1774, in Wroth ed., *Province in Rebellion*, 812.

<sup>8</sup> Thomas Gardner to Boston Committee, August 12, 1774, in Wroth ed., *Province in Rebellion*, 802.

The day after Worcester proposed a joint-county meeting, Berkshire's county court planned to meet under the terms of the Massachusetts Government Act for the first time. On July 31, 1774, Boston Committee gave Berkshire overwhelming support to not allow the courts to sit under the new acts. Isaiah Thomas, editor of the *Massachusetts Spy*, told the story on August 25, 1774.

We hear from Berkshire that vast numbers of the people assembled to attend the last session of the county court in Great Barrington, and unarmed filled the courthouse and avenues to the seat of Justice so full that no passage could be found for the justices to their places. The sheriff commanded them to make way for the court; but they gave him to understand that they knew no court on other establishment than the ancient laws and usages of their country.<sup>9</sup>

Berkshire had successfully prevented the courts from operating under the Massachusetts Government Act. This event set the precedent for the events that would unfold leading up to the Battle of Lexington and Concord. The use of intimidation through large congregations of men became a common theme for the patriots to get what they wanted.

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General Gage's authority diminished by the day. First the towns continued to meet which directly violated the Massachusetts Government Act, and now the patriots closed one of the county courts closed and would never reopen under British authority. Nevertheless, Gage continued to try to enforce these two acts, but once again, the patriots used intimidation to limit his authority. The extent of the patriot's intimidation tactics was evident even in the beginning when Gage tried to assemble his counsel and only 24 out of the 36 subscribed to it. He wrote to Lord Dartmouth on August 25, 1774 saying:

Colonel Williams and Colonel Worthington gave written excuses for their refusal to accept the honor the King has conferred upon them nominating them as Counselors. Royal's refusal is from timidity. Russel feared the loss of a post he enjoys. Vassal,

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<sup>9</sup> The *Massachusetts Spy* was very patriotic and radical paper, in the following paragraph Thomas urged the inhabitants of Suffolk County to follow the model put forth by Berkshire; see *Massachusetts Spy*, August 25, 1774.

Green, and Hooper plead age and infirmities, but I believe they wanted to avoid disputes. Mr. Irving sent his refusal. Mr. Powell Lives at a great distance and I suppose has no opportunity to send an answer. The men sworn in show shyness towards giving an opinion about the adjournment of town meetings, and a desire to throw the removal of sheriffs now in office entirely of the governor.<sup>10</sup>

Twelve persons refused to accept the position because of the implications they would face if they served on the crown appointed mandamus council. The twenty-four members who did join the mandamus council soon felt the burden from the patriots for accepting their positions.

The first instance came on August 25, 1774. Massachusetts inhabitants were enraged that the Mandamus Council was operating in the place of the elected council of the General Court. The fact that the mandamus council was appointed by the King, and that the freeholders had no authority in governmental proceedings further irritated the patriots. The Lieutenant Governor, Andrew Oliver resigned his commission because he said he would rather prove himself a loyal subject in the humble walks of private life. The state of affairs in Boston concerned him and he believed they had suffered long enough.<sup>11</sup> Also on August 25, 1774, another member of the mandamus council, Abijah Willard, resigned. In his resignation he begged for forgiveness from all the “honest and worthy gentlemen” whom he had offended. He also promised to maintain the charter rights and to never accept an appointment like this again.<sup>12</sup> In a letter that General Gage wrote to Lord Dartmouth on September 2, 1774, he said that Mr. Willard had received several threats of death if he did not denounce his position on the mandamus council.<sup>13</sup>

Members of the mandamus council continued to resign their positions because of overwhelming numbers threatening them. Timothy Paine wrote to Governor Gage telling him that 2000 people arrived on his common at 9:00 A.M where a committee was then sent in his

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<sup>10</sup> General Gage to Lord Dartmouth, August 25, 1774, in Carter ed., *Gage Correspondence*, I, 364.

<sup>11</sup> Andrew Oliver to Gage, August 25, 1774, in Wroth ed., *Province in Rebellion*, 526-527.

<sup>12</sup> Declaration of Abijah Willard, August 25, 1774, in Wroth ed., *Province in Rebellion*, 528.

<sup>13</sup> General Gage to Lord Dartmouth, September 2, 1774, in Carter, ed., *Gage Correspondence*, I, 370.

house telling him that the people outside were waiting for his resignation, and would not be satisfied until he resigned. He eventually had to resign because he was surrounded by two thousand people with no protection.<sup>14</sup> George Watson resigned because he said he felt like upon the acceptance of the position, he had become very obnoxious to the people of his town and neighboring towns. Moreover, his business depended on the success of him being a merchant, and if he were to remain on the council, this business would be completely destroyed by popular boycotts.<sup>15</sup> The patriots were able to diminish the mandamus council's authority to relatively nothing. The members who decided to fulfill the honor of serving on the governor's mandamus council fled to Boston for safety thus generating an even further split between loyalists and patriots in the metropolis and the countryside.

The patriots never devised an extravagant plan to force the men to resign. Local inhabitants in the area would decide to meet at one of the members of the mandamus council's house. Then, they would spread the word to the neighboring towns and by early the next morning, two thousand angry patriots wanted to hear a resignation. The patriots did not want to appear as a violent mob during these public resignations. The leaders stressed the importance of showing a large orderly force to demand the resignations because that person who resigned would then report to General Gage claiming that a non-violent force demanded their resignation. This gave the patriots credibility instead of having an appearance of a mob. Moreover, this fueled the legitimacy of their movement because they fought for the rights of their old charter, and ousted an official who accepted a position in the new, patriot perceived illegitimate government.

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<sup>14</sup> Timothy Paine to Gage, August 27, 1774, in Wroth ed., *Province in Rebellion*, 528.

<sup>15</sup> George Watson to Gage, August 30, 1774, in Wroth ed., *Province in Rebellion*, 533.

Governor Gage was well aware of all the meetings that were taking place and other illicit activities. Although he did have some inside men that gave him information most notably Benjamin Church, he could have just read a newspaper for intelligence.<sup>16</sup> The local newspapers always printed when the towns held meetings so that they could encourage more people to come. While Gage was still in Salem, the local freeholders of the area planned on having a meeting August 24, 1774. Patriots posted a note in the town on August 20, 1774 calling for the meeting to take place on the aforementioned date. When General Gage read the note, he issued a proclamation two days before the meeting took place.

Whereas certain handbills have been posted in sundry places in this town of Salem, calling upon the merchants, freeholders, and other inhabitants of the said town, to meet at the town-house chamber on Wednesday next...to determine upon measures for opposing the latest diverse Parliament Acts...Whereas by the late act of Parliament, all town meetings called without the consent of the governor...are illegal. I do hereby strictly prohibit all persons from attending the aforesaid meeting.<sup>17</sup>

The patriots wanted to hold a meeting in the heart of the Provincial Government without the governor's approval of their agenda. If Gage could not suppress this meeting in his backyard, the Salem patriots would expose his weakness to the entire province.

In a letter written to the Boston Committee of Correspondence, the Salem Committee of Correspondence vividly described the day.

On Wednesday, that morning, Governor Gage sent us a request to meet him at 9:00 A.M...He asked if they avowed to the notification [posted on the August 20]. They answered yes, and Gage ordered them to disperse the people immediately, for as they were the source of the meeting, and must abide by all the consequences...The governor then ordered the troops to be equipped for battle, and they marched to the town-house. By the time they got there, the whole business of the meeting was transacted, being merely to choose delegates for the county meeting. The troops were ordered to return.

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<sup>16</sup> Allen French, *General Gage's Informers, New Material upon Lexington and Concord. Benjamin Thompson as Loyalist and the Treachery of Benjamin Church, Jr.* (Ann Arbor: The University of Michigan Press, 1932).

<sup>17</sup> Proclamation against Salem Town Meeting, August 23, 1774, in Wroth ed., *Province in Rebellion*, 549.

Then there was a warrant for some of the committees arrest, some were arrested, but eventually released.<sup>18</sup>

Not only had the patriots exposed Gage's limitations in his authority to the province, but also, he attempted to use force (or at least a show of force) for the first time during his tenure in Massachusetts. One could speculate if he really would have used force, or if he used the troops as a scare tactic to regain some credibility. Nonetheless, he used the army to attempt to dissolve a meeting and failed. A new town meeting took place in the seat of the Provincial Government directly defying the Massachusetts Government Act. Gage no longer could safely administer his job in the countryside, and once again the towns largely ignored his authority.

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The towns devised effective means in eluding the Massachusetts Government Act.

General Gage wrote a letter to Lord Dartmouth on August 27, 1774 about the methods the towns used to avoid prosecution under the act.

People have had the leisure to consider means to elude the act, in doing so they are very expert. At a town meeting held at Boston in *July*, in order to avoid *calling* a new meeting afterwards, they adjourned themselves to the *9<sup>th</sup> of August*, and adjourned again on that day to sometime in October. I assembled the Select Men in Boston, had the clause read respecting town-meetings, told them I expected their obedience to it, that I should put the act into force, and they would be answerable to any bad consequences; they replied, they had called no new meeting, that a former meeting had only adjourned themselves.<sup>19</sup>

The towns theoretically did not violating the Massachusetts Government Act because the act prohibited calling a *new* meeting. Lawyers were just as crafty over two-hundred years ago as they are today with finding loopholes in legislation.

Just two weeks before, Governor Gage summoned the Boston Selectmen to read the two new acts that just went into effect. After Gage met with them, he observed:

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<sup>18</sup> Salem Committee to Boston Committee, August 25, 1774, in Wroth ed., *Province in Rebellion*, 816-817.

<sup>19</sup> General Gage to Lord Dartmouth, August 27, 1774, in Carter, ed., *Gage Correspondence*, I, 365, emphasis added.

That as he was to go out of town soon he chose to give [the selectmen] this information, that if a town meeting should be wanted, upon [the selectmen] application to him if he should judge it expedient he would allow one to be called. [The Selectmen] told him at present there was no need to call a new meeting for [they] had two now alive by adjournment, one of them to be held sometime this month, the other sometime later in October.<sup>20</sup>

Gage went on to acknowledge that with this thought process that the meeting could go on for ten years. He lamented with them, and said he expected to enforce these new acts to the fullest extent, and to hold the Selectmen accountable if bad consequences resulted.<sup>21</sup> Gage once again had no authority to prohibit the meetings since the act mentioned nothing about adjourning meetings to another date. The patriots discovered a legal method to continue their town meetings. He refused to acknowledge the legality of these town meetings, but did allude to their creativity.

As Gage continued to see his power dwindle in the countryside, he had no choice but to flee Salem and move the provincial government to Boston. This marked a somber time for Gage. All of his officials remaining on the mandamus council fled to Boston for refuge, too. When Gage decided to leave for Boston on August 27, 1774, he effectively gave up any chance he had of regulating the countryside. His influence would never extend beyond the bottle neck of Boston again. Gage's dilemma persisted. He had few troops to suppress any rebellion, and now resided in an impoverished city due to the Port Bill. His troops were subject to deplorable conditions and their morality decreased by the day. They lived in large public housing, and were subject to widespread sickness. Some officers took over the houses of Bostonians in order to have better living conditions. This measure only intensified relations in Boston and put everyone on edge. Boston appeared as garrison under military rule. The presence of troops instilled fear in Bostonians. Nonetheless, Gage had to protect the loyalists. He had no choice but fortify

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<sup>20</sup> Selectmen's Records, August 13, 1774, in Wroth ed., *Province in Rebellion*, 661.

<sup>21</sup> Selectmen's Records, August 13, 1774, in Wroth ed., *Province in Rebellion*, 661.

Boston. This move generated a significant amount of controversy for all Massachusetts inhabitants. On September 6, the Boston Selectmen sent Gage a letter addressing this controversy. They argued:

The inhabitants of the town of the town are much alarmed to find that your Excellency has ordered the breaking up the ground near the fortification on the neck, and the Selectmen would beg of your Excellency to explain your design in this extraordinary movement that they may thereby have it in their power to quiet the minds of the people.<sup>22</sup>

Gage responded to the Selectmen with a crafty answer; however, he could not assuage the patriots' minds. Gage replied:

He had no intention of stopping the town or obstructing the inhabitants of any country people, coming in or going out of the town as usual, that he had taken his measures and should pursue them; and that he was determined to protect his majesty's subjects and his majesty's troops in this town, and that he had no intention of anything hostile against the inhabitants of the town.<sup>23</sup>

This exemplifies Gage's dilemma. He wanted to do his job and protect the well-being of the only town he had any influence; but also, he did not want to upset the extremists by showing war preparations. They battled back and forth, but the fortifications remained on the bottleneck of Boston: the town looked like a barracks.

With important court sessions coming up on September in county-areas such as Worcester, the patriots would test Gage's influence once again. Not only did towns push for a Continental Congress, but now some stressed the urgency for a Provincial Congress to fulfill the role as the de facto government in Massachusetts. By the end of August, Gage lost all authority in provincial affairs. His next big test would come September 4, 1774 when Worcester had planned to close the county courts. He had to make a decision: send royal troops to allow the enforcement of the new acts by letting the judges convene court, or keep his troops in Boston to protect his loyalist town.

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<sup>22</sup> Selectmen's Records, September 6, 1774, in Wroth ed., *Province in Rebellion*, 665.

<sup>23</sup> Selectmen's Records, September 6, 1774, in Wroth ed., *Province in Rebellion*, 665.



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On August 15, Worcester County sent a letter to the Boston committee of Correspondence to discuss future matters. By now, Worcester had become the stronghold for patriotic activity. They proposed to meet as a county on August 30 to discuss how their methods handling the upcoming court sessions. Using Berkshire court closings as a model, they wanted to refuse the judges from sitting. If the patriots closed the court, Gage's situation would exacerbate. He decided to assert his authority and sit in on the Superior Court of Suffolk County in hopes that it would deter other courts from closing. Worcester held their county convention, and Springfield County prevented their courts from convening on that same date that Gage sat it on the Superior Court in Suffolk County. Despite the calamity, Gage wanted to display his political authority in the only town he had any influence. The *Boston Gazette* reported the entire incident:

Last Tuesday being the day the Superior Court was to be holden here, the Chief Justice, Peter Oliver, Esq., and the other Justices of the said court, together with a number of Gentlemen of the bar, attended by the High and Deputy Sheriffs, walked in procession from Statehouse to Courthouse, in Queen Street. When the Court were seated and the usual proclamations made, a list of the names of the Gentlemen returned to serve as Grand Jurors, was presented to them, and the Court appointed Mr. Ebenezer, Hancock, Foreman.<sup>24</sup>

When it came time for the jurors to be sworn in, each of the twenty-two Grand Jurors refused to take the oath. They listed various reasons, but mainly it came down to the alteration of their charter. The court adjourned, and reconvened the next morning. Nonetheless, when the justices arrived at the courthouse, the jurors were absent. Governor Gage had to have felt his power waning day by day at this point. He had the town completely fortified, and yet, he still had trouble asserting his authority. If he could not stop something like this in his backyard, how was he supposed to stop thousands of people from preventing the courts to sit in Worcester?

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<sup>24</sup> *Boston Gazette*, September 5, 1774.

Governor Gage discussed matters with his Mandamus Council on what he should do about the Worcester Courts. He initially wanted to send royal troops to use force if necessary to allow the courts to sit. His Mandamus Council advised otherwise.

His Excellency then desired the Advice of Council what they thought expedient and proper for him to do in this exigency of affairs, and whether they would advise to the sending of any troops into the County of Worcester, or any other County in the Province, for the protection of the Judges and other Officers of the Courts of Justice. Whereupon several Gentlemen of the Council expressed their Opinions, that inasmuch as the opposition to the execution of any part of the late Acts of Parliament relating to this Province, was so general, they apprehended it would not be for His Majesty's service to send any Troops into the interior parts of the Province, but that the main body continue in the Town of Boston, which might be strengthened by the addition of other Troops, to be improved as circumstances may occur, and be a place of safe retreat for all those who may find it necessary to remove thither.<sup>25</sup>

With the opinion of his Mandamus Councilors in mind and the open defiance of the jury members to Gage's presence Superior Court of Suffolk County, he changed his initial plans and devised a method to disarm the countryside. On August 31, the Boston Committee of Correspondence warned the Salem Committee that they noticed some unusual activity amongst the royal troops. Salem, still weary over the incident a few days prior when Gage attempted to dissolve their meeting, proclaimed their readiness for any attack that should come their way. Nonetheless, the Boston Committee's intelligence had their intelligence wrong and the troops went elsewhere. *The Boston Gazette* reported the scene:

On Thursday morning, half hour after four, about 260 troops embarked on board thirteen boats and the Long Wharf, and proceeded up Mystic River to Temple's Farm, where they landed, and went to the Powder-House on Quarry Hill, in Charleston Bounds, where they took 250 half barrels of powder, the whole store there, and conveyed it to Castle William. A detachment from this corps went to Cambridge and brought off two field pieces.<sup>26</sup>

Tactically, this seemed like a good decision made by Gage. He avoided confrontation and completed a successful mission. Moreover, he efficiently administered a preemptive strike, and effectively disarmed an area near Boston which further protected His Majesty's royal subjects.

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<sup>25</sup> Mandamus Council Proceedings, August 31, 1774, in Wroth ed., *Province in Rebellion*, 525.

<sup>26</sup> *Boston Gazette*, September 5, 1774.

Nonetheless, Gage failed to realize that the patriots could potentially perceive his actions as provocative. For the past several weeks, he had fortified the bottleneck of Boston. Moreover, the two new controversial acts had only been in effect for a couple weeks, and some of the counties already had prevented their courts from sitting under those acts. Gage must have not predicted the repercussions of his decision when he implemented it.

The next morning, people crowded around quarry-hill to find an empty powder house. This maneuver outraged the patriots. Gage outsmarted their communication network. Word spread like wildfire throughout the colony. The patriots wanted revenge for this provocative maneuver. Thousands of farmers convened at Cambridge with anything resembling a weapon. Rumors spread throughout the colony depicting the scene worse than it actually happened. Moreover, other rumors floated around that the royal troops were still at large. This sent many people into a panic, but also, ignited a patriotic movement that displayed a massive force. Needless to say, it caused a great amount of concern throughout the colony. The next day the Boston Committee of Correspondence wrote to Charlestown “requesting a sub-committee to meet with representatives from Boston at Faneuil Hall to discuss what happened.”<sup>27</sup>

Because of the conflicting reports, some counties were still left asking questions a week later. Rehoboth, a town southwest of Boston, wrote to the Boston Committee of Correspondence on September 6. 1774.

On Saturday last this town was alarmed by a report that a party of troops, had taken possession of the powder belonging to this province, and were proceeding further in violent manner upon which many inhabitants of this town assembled, and being anxiously concerned to know the true state of the matter- - a messenger was dispatched to Boston...In the meantime, several commanders of the Militia had issued their warrants- - forthwith to call their companies together since which the Colonel of our regiment, has given orders for a muster commanding both households to appear complete in arms with

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<sup>27</sup> Boston Committee to Charlestown, September 1, 1774, in Wroth ed., *Province in Rebellion*, 827.

ammunition according to law. The inhabitants upon this occasion discovered an ardent zeal to preserve for impending ruin our happy constitution.<sup>28</sup>

This provocative act brought the patriots to arms in defense of their charter. Nonetheless, it did expose some limitations in the communication network of the patriots. The historian Robert Gross argued that:

The militia companies had shown themselves to be ill-equipped to meet an emergency. It was hardly surprising: they embraced almost all able-bodied men in town between sixteen and sixty. These citizen soldiers, dispersed on distant farms and busy with everyday chores could not readily be summoned together.<sup>29</sup>

Although it revealed the weaknesses of their alarm system, it did prove their willingness to fight for their charter. Gage most likely realized the repercussions of his actions. He had to have been petrified to hear accounts of a mass of angry patriots ten times the size of his army congregating with weapons over a seizure of powder. More importantly, this event occurred a few days before the convening of the Worcester Courts. After this display of force, Gage could not risk Boston's safety by sending Royal troops out to an interior county. Especially because by late October he had only 3000 regulars in the town on Boston, not nearly enough to control a province that had mustered ten times as many men against him in a single day.<sup>30</sup> His limited provisions left him with no choice but to allow the Worcester Court closings to proceed. The powder alarm shook the entire colony.

Gage's growing concern of his situation revealed itself through various correspondences to head British officials.

The State, not only of this Province, but of the rest is greatly changed since Mr. Hutchinson left America. Though I saw bad things when I wrote from Salem, I found

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<sup>28</sup> Rehoboth Committee to Boston Committee, September 6, 1774, in Wroth ed., *Province in Rebellion*, 827-828.

<sup>29</sup> Robert Gross, *The Minutemen and their World* (New York: Hill and Wing: 1976), 58.

<sup>30</sup> General Gage to Lord Dartmouth, October 30, 1774, in Carter, ed., *Gage Correspondence, I*, 380; David Hackett Fischer, *Paul Revere's Ride* (Oxford: Oxford University Press, 1994), 44; Ray Raphael, *The First American Revolution: Before Lexington and Concord* (New York: The New Press, 2002), 50.

them much worse here than I expected when I arrived. Several of the new Counselors who lived outside of Boston, now seek refuge here and protection by the troops. With regard to the clause in the New Acts relative to town Meetings, so many elusions are discovered, under various pretences of adjournment, electing to vacant offices, people assembling peaceably without notification upon their own affairs, and no person can tell what to do with it. Civil government is near its end, the courts of justice expiring one after another. Conciliating, moderation, and reasoning are over. Nothing can be done but by forcible means.<sup>31</sup>

By early September, Gage claimed that any chance for peaceful reasoning as null and void.

This paints a clearer picture of the state of the colony because of Gage's Whig political ideology.

He wanted to do whatever it required to bring about a peaceful agreement between the colonies and the Crown. If Gage informed Lord Dartmouth of the inevitability of war, then it truly showed the state of affairs in the colony.

Now that Gage's authority had been tested several times, the true testament to his power would be if he decided to stick with plans of not sending troops to prevent the Worcester Court closings. On August 30-31, 1774, Worcester called for a county convention to discuss what they intended to do about the September 6 court hearings. By this time, various towns had thought it more expedient and efficient to meet together as a county. Soon enough counties would meet together with other counties. Nonetheless, they produced more radical resolves than any other county up to that point. From this convention, one could tell that the patriotic fervor had transferred to the countryside. They understood the benefit of their location on the western side of the colony, and knew that they could openly defy the new acts with few, if any, repercussions. Nonetheless, they still exhibited a cautionary approach, and generated plans to ensure for the defense of their town. They argued for the incompatibility of late acts of Parliament with the charter and the persons accepting commissions under the new acts formed a system of tyranny. Therefore they deemed it expedient to adopt the following resolves:

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<sup>31</sup> General Gage to Lord Dartmouth, September 2, 1774, in Carter, ed., *Gage Correspondence*, I, 369.

1. That it is the indispensable duty of inhabitants of this county, by the best ways and means, to prevent the setting of the respective courts under such regulations that are set forth in a late act of Parliament.
2. That it be recommended to the inhabitants of this county to attend in person the next inferior court of common pleas and general sessions...on the 6<sup>th</sup> day of September. And whereas it is generally reported that the Governor will send one [or more?] regiments to enforce the execution of the said acts...Resolved, that it be recommended to the inhabitants of this county, if there is intelligence that there is one [or more?] regiments on their march to Worcester, they then attend properly armed in order to repel any hostile force which may be employed for that purpose.
3. That it be recommended to the several towns that they choose proper and suitable officers to regulate the movement of each town and prevent any disorder...Resolved that it be recommended to each town to retain in their hands what monies may be due to the provincial treasury until the public tranquility is restored.<sup>32</sup>

They radically proposed that each town appoint an officer to lead them and prevent disorder, and informed the towns to withhold their monies from the provincial treasury. The collection of arms and monies were vital in order for the establishment a new government and to overthrow the current regime. Moreover, the Worcester inhabitants threatened to repel force with force. Gage knew the repercussions he faced if he decided to send troops to prevent this movement. Gage witnessed how the countryside reacted to the seizure of powder. He more than likely wondered how the countryside would react to a battle between the townsmen and the Royal troops. In order for the Royal Government to remain legitimate in the Province; however, it would seem that Gage would have to do something. Legitimacy slipped out of his hands day-by-day, and he would need to reassert his authority in order to reclaim some of his lost power from the patriots.

At 8:00 A.M. on September 6, 1774, the Worcester County Convention met according to adjournment. They discussed various matters such as the declaration the patriots wanted the justices to read when the townsmen marched to the courthouse and demanded their resignation. They also put forth several resolves to instill civil order once they ousted the British influence

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<sup>32</sup> To see the list of the other resolves, see Worcester County Convention, August 30-31, 1774, in Wroth ed., *Province in Rebellion*, 896-897.

from their county. They required all offices held under the British administration to resign their posts, and the respective towns to vote for people to fill those vacancies. They ended the meeting with a resolution to adjourn until September 20 and to leave their location and meet at the courthouse at 10:00 A.M.<sup>33</sup>

A body of 6,000 men gathered around the courthouse that morning with every intention to refuse to allow the court to sit. Prior to the arrival of the justices, the patriots seized control of the courthouse and a local meetinghouse. The justices occupied a local tavern called Daniel Heywood's Tavern on Main St. The Worcester patriots passed a resolution earlier in the day at the county convention that the town would elect representatives to meet with the justices and force their recantation. In total, there were three judges of the Inferior Court of Common Pleas, eighteen justices of the peace, three attorneys, and the sheriff. From the previous Court closing in Springfield, the patriots learned from their mistakes, and knew then they needed precise language that would ensure these judges would never sit again under the Massachusetts Government Act. The Worcester County Convention produced this declaration:

Gentlemen-You having desired, and even insisted upon it, all judicial proceedings be stayed by the justices of the court appointed this day, by law, to be held at Worcester, within and for the County of Worcester, on account of the unconstitutional act of the British Parliament, respecting the administration of justice in this province, which, if effected, will reduce inhabitants thereof to mere arbitrary power; we do assure you, that we will stay all such judicial proceedings of said courts, and will not endeavor to put the said act into action.<sup>34</sup>

The 6,000 men present at this spectacle all demanded that these officials read this declaration aloud to affirm the notion that this court would never run again under British Authority.

Success: the patriots effectively closed down the courts with no violence. They merely used the same tactic they had been using all summer: humiliation and intimidation by a massive

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<sup>33</sup> Worcester County Convention, September 6-7, 1774, in Wroth ed., *Province in Rebellion*, 905-907.

<sup>34</sup> Worcester County Convention, September 6-7, 1774, in Wroth ed., *Province in Rebellion*, 905-907.

population. The patriots claimed victory for the day. They called Governor Gage's bluff, and prevented the courts from sitting. The court would never operate under British authority again. Worcester County had effectively eliminated all British influence within their region. They decided to not put forth any drastic governmental changes in their area until the General Court would meet in the first week of October.

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The Worcester Court closing was a watershed moment in the struggle between Gage and the patriots. From the outcome of this event, rural Massachusetts discovered that Gage's influence extended no farther than the bottleneck of Boston. The patriots rendered the new acts void beyond Boston from this point on due to Gage's little enforcement power. Events escalated quickly and Gage lost power daily. He had to continue operating defensively and prevent a war between the motherland and her colonies.<sup>35</sup> Nonetheless, he opened the door for the patriots to form a shadow government. Gage had no executive power by this point. If the patriots wanted to form a shadow government, Gage could do nothing to stop them.

General Gage painted a clear picture of the political and social landscape in a series of correspondences he sent to the Royal officials in London. Gage portrayed the colony in a state of chaos. On September 25, 1774, he wrote to Lord Barrington:

Affairs here are worse than even in the Time of the Stamp-Act, I don't mean in Boston, but throughout the Country. The New England Provinces, except part of New Hampshire, are I may say are in Arms, and the question is not now whether you shall quell disturbances in Boston, but whether those Provinces shall be conquered, and support the Massachusetts Bay in their Opposition to the late Acts. You supposed in England, that the Port-Bill Regarded Boston alone, as well as the acts regulating their Government, but they have contrived to get the rest of their brethren to be as violent in

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<sup>35</sup> Worcester County Convention, September 6-7, 1774, in Wroth ed., *Province in Rebellion*, 905-907; Ray Raphael, *The First American Revolution*, 133-138; John R. Galvin, *The Minutemen, The First Fight: Myths and Realities of the American Revolution* (Dulles: Brassey's, 1989), 49; William Lincoln, *History of Worcester, Massachusetts from its earliest to September 1836* (Worcester: Morse D Phillips and Company, 1837), 97.



defense as themselves. Every man supposed averse to their measures so molested and oppressed, that if he can't get out of the country, which is not an easy matter, he takes shelter in Boston.<sup>36</sup>

Gage informed Lord Barrington that Tories could not reside outside of Boston due to safety issues. At this point, Gage's performance in Massachusetts generated scorn from various officials in London. They deemed the patriotic activity a small rabble and the provisions provided to Gage should be sufficient to squash the rebellion. Nevertheless, they severely underestimated the unanimity of patriotic movement. The government leaders believed that there were only hot-beds of illicit activity, and that it was dispersed throughout various regions of the colony. They believed that if Gage could arrest the leaders in these areas, then he would be able to effectively administer British rule of law. Gage thought otherwise:

I have nothing good to send your lordship from this continent, there is nothing going on but preparations for war, and threats to take arms and they affect to despise out small numbers, and to overwhelm us with forty-fifty thousand men. You should have an army of 20,000 strong composed of Regulars, and a large body of irregulars, and sufficient artillery.<sup>37</sup>

Governor Gage pleaded with the government leaders that their pre-conceived idea they had of the atmosphere in Massachusetts was wrong. He went to great lengths to convince them about his dire situation; however, they continued to ridicule him from the news they received about his performance.

I am not little pleased that my conduct has met with the Approbation of His Majesty and his ministers; and am not little chagrined that my endeavors to serve his majesty, have not met with better success. Nobody here or at home, could have conceived, that acts made for Mass Bay, could have created such a ferment throughout the Continent, or that the country people could have been raised to such a pitch of phrenzy. If force is to be used at length, it must be a considerable one, and foreign troops must be hired, for to begin with

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<sup>36</sup> General Gage to Lord Barrington, September 25, 1774, in Carter, ed., *Gage Correspondence*, II, 654.

<sup>37</sup> General Gage to Lord Barrington, October 3, 1774, in Carter, ed., *Gage Correspondence*, II, 655-656.

small numbers will encourage resistance and not terrify; and in the end will cost more blood and treasure.<sup>38</sup>

With the administration's views towards Gage's performance, he was a sitting duck until some sort of clash broke out between the patriots and Great Britain.

Gage consistently sent unwelcoming reports to the American Department and Lord Dartmouth. The Royal officials did not want to receive bad news about a mission that they believed would be accomplished with ease. "He told the ministers that the resistance had become nearly universal and that he must have more troops in order to execute his orders"<sup>39</sup> Cognizant of his situation, Gage went as far as to recommend temporary suspension of the Coercive Acts in October. Nevertheless, this resulted in extreme disappointment with Gage's job approval from head officials in London. They lost confidence in Gage's abilities daily. The ministry preferred to believe the "other governors who emphasized the division of colonial opinion, but here was the governor of Massachusetts talking nonsense about a united resistance."<sup>40</sup> The letters that Lord Dartmouth received from other governors had all maintained "that the "patriots" were a small faction of noisy malcontents, while the better sort of colonists would support the government in case of lawlessness or destruction of property."<sup>41</sup> Importantly, however, unified and widespread political defiance only occurred in Massachusetts. The other governors accurately reported minimal illicit activity in their colonies. The British government's idea of arresting the leaders might have worked in their respective colonies. Massachusetts told a different story, however; because they acted in unified resistance.

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<sup>38</sup> General Gage to Lord Dartmouth, October 30, 1774, in Carter, ed., *Gage Correspondence, I*, 380.

<sup>39</sup> B. D. Bargar, *Lord Dartmouth and the American Revolution* (Columbia: The University of South Carolina Press, 1965), 161.

<sup>40</sup> B. D. Bargar, *Lord Dartmouth and the American Revolution*, 161.

<sup>41</sup> B. D. Bargar, *Lord Dartmouth and the American Revolution*, 162.

Moreover, the difficulties of communication between leading officials further exacerbated the situation. Royal officials struggled to receive complete, timely and accurate information through correspondences. Nonetheless, Gage's letters to the Secretary of War, Lord Barrington, were much more complete than those he wrote to Lord Dartmouth. Lord Barrington occasionally "relayed this information to the American Department, but many of Gage's observations on colonial affairs were endorsed 'private' and Barrington did not show them to anyone else."<sup>42</sup> General Gage confided in Lord Barrington and informed him about the state of affairs in the colony, however; most his observations remained secret out of respect for Gage's wishes to keep the matter private perhaps to save him the embarrassment. Needless to say, Gage lost confidence in the British administration while they continued to lose confidence in him. Many of the King's advisors perceived him as "altogether too soft and cautious in subduing the rebellious colony. Lord Suffolk was convinced that Gage should be removed from not only the command of the army but also the post of governor of Massachusetts."<sup>43</sup> Ultimately, they did not adopt this measure, but early in 1775, the King expressed his desire to remove Gage out of disappointment for Gage's job performance. This resolution ultimately fell through as well because they could not find anyone willing to take the job.<sup>44</sup> Gage received a letter from Lord Dartmouth on October 17, 1774 that at least acknowledged Gage's state of affairs, but in the end scorned him for a request for troops.

Your letters I have received represents the affairs of the Province to be indeed very dangerous and critical situation; and it looks like not only as if the people were determined at all events to refuse obedience to the law. This however is a state that cannot have long duration; the discontinuance of the Courts of Justice must produce the greatest anarchy and confusion, and I fear the quorum of the council that acts with you will have little authority. What may happen, should the madness of the people urge them to a continuance of the violences they have committed, is truly a very serious

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<sup>42</sup> B. D. Bargar, *Lord Dartmouth and the American Revolution*, 162.

<sup>43</sup> B. D. Bargar, *Lord Dartmouth and the American Revolution*, 162-163.

<sup>44</sup> B. D. Bargar, *Lord Dartmouth and the American Revolution*, 163.

consideration; and the apprehension you seem to be under of the hazard and risque you may be exposed to for want of a larger number of troops than you can possibly collect together from the different stations in North America, is very embarrassing.<sup>45</sup>

This letter acknowledged Gage's earlier reference for the need to hire foreign troops. One could perceive the embarrassment for the British Administration. Great Britain would appear weak if the strongest power in the world needed aid to suppress their subjects. Needless to say, Gage continued to paint the picture of drastic circumstances. On November 2, 1774, Gage wrote to Lord Barrington with a sense of uneasiness and urgency.

I wish I could send you any accounts from this country that tended towards a submission to, and a cordial reconciliation with Great Britain. The whole continent has embraced the cause of the Town of Boston, and I apprehend from what we have heard though their proceedings are not yet published, that the continental congress that has been held in Philadelphia, will not have come to such determinations that you will approve of home. As for this Province, the Chiefs seem to want to push matters as far as they can, many of them thinking they have gone too far to retract, and their aim appears now only to draw all the colonies into an Open Resistance in their defense. This province and their neighboring ones are preparing for war. If you will resist, and not yield, that resistance will be effectual at the beginning. If you think ten thousand men sufficient, send twenty, if one million is thought enough, give two; you will save both blood and treasure in the end.<sup>46</sup>

General Gage did everything he could to alert the British officials of his dilemma. Nonetheless, their refusal to listen to him caused their authority to wither in Massachusetts creating a massive patriotic movement that would soon enable the patriots persuade the Continental Congress to make Massachusetts' cause, America's common cause. The patriots gained political legitimacy with the population daily. The patriots had effectively ousted British influence throughout Massachusetts with the exception of Boston, and even there they experienced limitations. The patriots now had the landscape set to put the workings through to implement a new government

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<sup>45</sup> Lord Dartmouth to General Gage, October 17, 1774, in Carter, ed., *Gage Correspondence, II*, 174-175.

<sup>46</sup> General Gage to Lord Barrington, November 2, 1774, in Carter, ed., *Gage Correspondence, II*, 658-659.

Once patriots of Worcester had effectively closed the courts and eliminated British sovereignty in the area, they had assumed political authority in their county. Since they had terminated British authority, they had to design a working system to ensure the effectiveness of daily governmental affairs. They used county conventions as their way to govern local matters. They acted as a shadow government until the patriots set the foundation for a unified congress. In order to instill an effective shadow government, the patriots had to establish an efficient system of arms and monies. On September 6, 1774, the same day that the patriots closed the courts in Worcester County, they proposed innovative resolves that would soon lay the workings for the design of their military affairs. They resolved that:

It be recommended to the military officers in this county that they resign their offices to their respective colonels. That the field officers in this county resign their offices and publish such resignation in all the Boston newspapers. That it be recommended to the several towns in this county to choose proper, and a sufficient number of military officers for each of their towns.<sup>47</sup>

Raphael argues that this was the most significant authority assumed by the Worcester County patriots. The militias were “instructed in how to train...and how to ready themselves for major battles- by ‘procuring one or more field pieces, mounted and fitted for use; and also a sufficient quantity of ammunition for the same,’ and by having officers ‘appoint a suitable number of men, out of their respective companies, to manage said field pieces.’”<sup>48</sup> The patriots used this framework to eventually invent the minutemen. These men were supposed to be efficiently trained so when needed, they could be ready in arms in one minute’s notice.

From the same County Convention, the patriots devised a temporary system of government for their county until they could appeal to the Provincial Congress that was set to convene on October 5, 1774. They resolved:

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<sup>47</sup> Worcester County Convention, September 6, 1774, in Wroth ed., *Province in Rebellion*, 906.

<sup>48</sup> Ray Raphael, *The First American Revolution*, 148.

Whereas the late acts of Parliament respecting this province [it is] evidently designed to prevent any civil officers holding their places by virtue of the charter of the province, thereby interrupting our having any civil officers according to the constitution. And whereas it is necessary to have civil officers until further provisions can be made. Therefore resolved that the justices of the peace for this county who were in said office the last day of June past, except Timothy Ruggles, John Murray and James Putnam Esqrs be hereby designed to act in said offices as single justices, except in judicial proceedings merely civil. Also that the judge of probate, sheriff and coroners for said county who were in said office on the last day of June Past exercise their respective offices, until the rising of the Provincial Congress.<sup>49</sup>

Several interesting measures result from this resolution. First, they used their 1691 charter as their temporary system of government. Next, the three men that they excluded from returning to their posts accepted positions to Gage's Mandamus Council and publicly resigned their positions. Raphael argues that "the County Convention appointed certain individuals to fill minor officers is not nearly as significant as its presumptive assertion of authority."<sup>50</sup> The patriots asserted control of their county. "They took it upon themselves to make any appointments at all. In the absence of the legally constituted government they had just removed, the Worcester County Convention had proclaimed itself in charge."<sup>51</sup> They were now the legitimate power in their area, and would continue to meet as quasi-governmental body until further word came from the Provincial Congress. Governor Gage officially had no power in Worcester County as of September 6, 1774 with the exception of what he could exert at the barrel of the gun.

Meanwhile, patriots from Essex and Suffolk respectively formed County Conventions on September 6, 1774. These counties understood that Gage had directed all of his resources to protecting the metropolis, and realized they could hold these conventions acting as shadow governments for their counties until the erection of the Provincial Congress. Both of these

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<sup>49</sup> Worcester County Convention, September 7, 1774. in Wroth ed., *Province in Rebellion*, 908.

<sup>50</sup> Ray Raphael, *The First American Revolution*, 148.

<sup>51</sup> Ray Raphael, *The First American Revolution*, 140.

conventions proved to be radical, focused respectively on methods of instituting a successful shadow government. Each county formed their own governments to govern local affairs. Defying the British governmental structure and organizing their own shadow governments under similar measures to their charter generated a massive shift in the patriot's intentions from revoking the late acts to effectively govern themselves.

The patriots had completely taken over Essex once Gage removed himself from Salem roughly two weeks prior. Historian Ray Raphael argues that the Essex County Convention was novel because "rather than force judges to run the gauntlet, Essex Patriots granted them permission to continue in office by virtue of their original appointments *before* the Massachusetts Government Act. This was an innovative and decidedly nonviolent method of staging a revolution: by twist of logic."<sup>52</sup> The convention resolved:

that the judges, justices, and other civil officers in this county, appointed agreeably to the charter and the laws in the province, are the only civil officers in the county whom we may lawfully obey; that authority whatever, can remove these officers, except that which is pursuant to the charter and those laws; that is the duty of these officers to continue in the execution of their respective trusts, as is the aforementioned act of parliament had never been made; and, that while they thus continue, untainted by any official conduct in conformity to that act, we will vigorously support them therein, to the utmost of our power, indemnify them in their persons and property, and thus to their lawful doings yield a ready obedience.<sup>53</sup>

Whereas the other county conventions had ousted all British authority in their County through their resolves, Essex expelled the British government that operated under the terms of the Massachusetts Government Act. This was a more conservative approach than the general pattern of the other counties; however, it was still radical. They restored their original form of government under their 1691 Charter. They promised to forgive any judge who accepted a post under the acts. This gives their actions legitimacy because they acted as if the new acts were

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<sup>52</sup> Ray Raphael, *The First American Revolution*, 148.

<sup>53</sup> Essex County Convention, September 6, 1774, in Wroth ed., *Province in Rebellion*, 900-901.

non-existent and illegitimate. To the Essex patriots, the Coercive Acts never existed. They knew they could confidently do this because the people that held provincial positions prior to the implementation of the new acts were more than likely Whigs as opposed to Tories. The patriots at the Convention also resolved to condemn any person who conformed to the new acts deeming them as “unfit for civil society.”<sup>54</sup> Lastly they resolved for a willingness to go to war as a last result:

Though we are deeply anxious to restore and preserve harmony with our brethren in Great Britain; yet, if the despotism and violence of our enemies should finally reduce us to the sad necessity, we, undaunted, are ready to appeal to the last resort of states; and will, in support of our rights, encounter even death, “sensible that he can never die too soon, who lays down his life in support of the laws and liberties of his country.”<sup>55</sup>

Although most of Provincial Massachusetts was eager to restore relations with Great Britain, most also realized that if their situation did not improve, then they would be forced to fight for their liberties.

Various committees of correspondence discussed the idea of forming a provincial congress throughout summer of 1774. How and when they were going to erect this shadow government was the question that remained unanswered until the beginning of September. At the Essex County Convention, the patriots resolved a plan to finally elect delegates to the Provincial Congress. They argued:

That is the opinion of this body of delegates, that a Provincial Congress is absolutely necessary in our present unhappy situation; and that as writs are now issued for the election of representatives for a general assembly to be held at Salem on the fifth day of October next, the representatives so elected, will properly form such provincial congress. And it is further our opinion, that these representatives should be instructed by their several towns to resolve themselves into a provincial congress accordingly; if when assembled they shall deem it necessary or expedient, in order to consult and determine on such measures as they judge will tend to promote the true interest of his majesty, and the peace, welfare and prosperity of the province.<sup>56</sup>

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<sup>54</sup> Essex County Convention, September 6, 1774, in Wroth ed., *Province in Rebellion*, 901.

<sup>55</sup> Essex County Convention, September 6, 1774, in Wroth ed., *Province in Rebellion*, 903.

<sup>56</sup> Essex County Convention, September 6, 1774, in Wroth ed., *Province in Rebellion*, 903.



General Gage thought that he might be able to alleviate tensions and communicate with the patriots if he restored the General Assembly and held elections for representatives. Nonetheless, the patriots, unconvinced that Gage would stand by his word, decided that if he dissolved the General Court then the patriots would resolve themselves into a Provincial Congress. Now, the patriots adopted a successful plan to form a shadow government; however, they still wanted permission from the Continental Congress in Philadelphia. This confirmation would come from the resolves of the Suffolk County Convention.

On August 9, 1774, Dorchester, a town in Suffolk County, sent a letter to Boston proposing a county meeting.<sup>57</sup> Boston agreed with this idea, and they set the date for the County Convention for September 6, 1774. Nonetheless, they did not produce a final draft of their resolves until September 9, 1774. Once completed, they sent their resolves to the Continental Congress in Philadelphia in hopes that they would adopt their resolves making Massachusetts' cause the common cause of America. Ray Raphael notes that:

With the British army stationed in Boston, the political hub of the county, the patriots did not control Suffolk to the extent that they controlled other counties. They could not forcibly close the courts, but they could and did express their outrage in what would become the only document of the Massachusetts Revolution of 1774 to achieve any significant notice in the annals of history.<sup>58</sup>

The patriots created detailed and heartfelt resolves. One can feel the pain that they had endured since they had been the subject of British punishment before any other town in Massachusetts experienced the infringement of their rights under the new acts. Before listing their resolves, the patriots opened their convention with a crafty attack on the British officials responsible for the new acts, and the situation that the new acts had brought upon Boston and the rest of Massachusetts.

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<sup>57</sup> Dorchester to Boston Committee, August 12, 1774, in Wroth ed., *Province in Rebellion*, 794.

<sup>58</sup> Ray Raphael, *The First American Revolution*, 149.

Whereas the power, but not the justice, the vengeance, but not the wisdom of Great Britain, which of old persecuted, scourged and exiled our fugitive parents from their native shores, now pursues us their guiltless children with unrelenting severity- - And whereas this then savage and uncultivated desert purchased by the toil and treasure or acquired by the valor and blood of those our venerable progenitors, who bequeathed to us the dear bough inheritance, who consigned it to our care and protection; the most sacred obligations are upon us to transmit the glorious purchase, unfettered by power, unclogged with shackles, to our innocent and beloved offspring.<sup>59</sup>

The patriots argued against the institution of persecution through excise taxes that Great Britain had historically imposed on them, and refused to allow this same state of affairs to prevail for their offspring.

The convention's famous resolves attacked every violation of rights that it believed Great Britain had imposed upon them. They were radical in nature, but moderate enough for the Continental Congress to adopt. They had to balance the delegates' interests at the Continental Congress because most of the other colonies had not experienced Massachusetts' plight. If they were too radical, then Massachusetts would receive no assistance from the other colonies, and Great Britain could continue to make an example out of Massachusetts. They needed to convince the delegates that Great Britain had violated their charter liberties. Moreover the rest of the colonies would experience the same situation as Massachusetts if they did not take action. Their resolves stated:

- 1) We the heirs and successors of the first planters of this colony do cheerfully acknowledge the said George the Third to be our rightful sovereign.
- 2) That the late acts of the British Parliament for blocking up the harbor of Boston, and for altering the established form of government in this colony; and for screening the most flagitious violators of the laws of the province from a legal trial, are gross infractions of those rights we are justly entitled to by the laws of nature, the British Constitution, and the charter of the province.
- 3) That no obedience is due from this province to either or any parts of the acts abovementioned; but that they be rejected as the attempts of a wicked administration to enslave America.
- 4) Any officer appointed from the new acts is an unconstitutional officer and no regard ought to be paid to them by the people of this county.

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<sup>59</sup> The Suffolk Resolves, September 9, 1774, in Wroth ed., *Province in Rebellion*, 914-915.

- 5) That it be recommended to the collector taxes, constables and all other officers who have public monies in their hands, to retain the same, and not to make any payment thereof to the province or county treasurers, until the civil government of this province is placed on a constitutional foundation, or until otherwise be ordered by the proposed provincial congress.
- 6) That this county do recommend to all persons who have highly offended by accepting said department (Mandamus Counsel), and have not already publicly resigned their seats at the council board, to make public resignations of their places at said board, on or before the TWENTIETH day of this instant September, and that all persons neglecting so to do shall be considered by this county as obstinate and incorrigible enemies to this colony.
- 7) That the fortifications begun and now carrying on upon Boston neck are justly alarming to this county, and give us reason to apprehend some hostile intention against that town, more especially as the Commander in Chief has in a very extraordinary manner removed the powder from the magazine in Charlestown, and has also forbidden the keeper of the magazine at Boston to deliver out to the owners the powder which they had lodged in said magazine.
- 8) For the honor, defense and security of this county and province advise, as it has been recommended to take away all commissions of the officers of the militia, that those who now hold commissions or such other persons be elected in each town as officers of the militia as shall be judged of sufficient capacity for that purpose, and who have evidenced themselves the inflexible friends to the rights of the people, and that the inhabitants of those towns and districts who are qualified to use their utmost diligence to acquaint themselves with the art of war as soon as possible and for that purpose appear under arms at least once every week.
- 9) We are determined to act merely on the defensive, so long as such conduct may be vindicated by reason.
- 10) That the exigencies of our public affairs demand that a Provincial Congress be called, to concert such measures as may be adopted and vigorously executed, by the whole people; and we do recommend it to the several towns in this county, to choose members for such a Provincial Congress, to be holden at Concord on the second Tuesday of October next ensuing.
- 11) That this county confiding in the wisdom and integrity of the Continental Congress now sitting at Philadelphia, will pay all due respect and submission to such measures as may be recommended by them to the Colonies, for the restoration and establishment of our just rights, civil and religious, and for renewing that harmony and union between Great Britain and the Colonies.<sup>60</sup>

They resolved similar measures that other county conventions had proposed. Nonetheless, delegates from every colony would see their resolutions unlike the other convention's resolves.

The patriots needed the support of the Continental Congress legitimize their shadow government. Raphael acknowledges that the Boston Whigs were very-well connected to the

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<sup>60</sup> The Suffolk Resolves, September 9, 1774, in Wroth ed., *Province in Rebellion*, 915-920.

delegates at the Continental Congress, especially because their own Samuel Adams and John Adams were present. The patriots dispatched Paul Revere with the resolves to Philadelphia on September 16, 1774, and to present them to Continental Congress for consideration. The Massachusetts delegates then proposed that the Continental Congress endorse the Suffolk Resolves. The Continental Congress voted unanimously to approve the resolves now adding a greater degree of legitimacy to the establishment of their shadow government and measures.

The approval of the Suffolk Resolves had drastic implications for Gage. Most towns would not completely agree with every radical measure proposed by various towns and counties unless the Continental Congress endorsed them. Now that the patriots had the approval of the Continental Congress, the population no longer deemed their actions too extreme. This is a significant shift in the concept of legitimacy and sovereignty in the colony. The British Government and Gage still theoretically had a claim to sovereignty in Massachusetts. Nonetheless, Gage had lost the majority of the population to the patriotic ideology. The people no longer perceived the British as the legitimate power. The population fueled the momentum the patriots gained leading up to the creation of their shadow government, whose actions appeared legitimate in the eyes of the people. Moreover, the Continental Congress added more legitimacy to their actions and allowed the patriots to join in a common cause. The Massachusetts inhabitants now looked towards the establishment of the Provincial Congress as their new power to govern affairs. This created their avenue to claim sovereignty in Massachusetts. Now the patriots painted a picture for the implementation of a successful shadow government with the whole-hearted support of the entire colony with the exception of the Tories in Boston. The clash of the two sovereignties would not resolve itself until the Revolutionary War ended nine years later.

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Gage was cognizant of the radical activity going on throughout September. Not only could he look at the newspaper to see how the patriots openly defied his acts, but he also had spies on his payroll who attended the various meetings and conventions. Nevertheless, with the patriots ousting British influence virtually everywhere except Boston, the situation continued to deteriorate further leaving Gage in an unmanageable atmosphere. His best plan of attack was to continue to protect Boston and disarm the countryside. Even after the implications of the initial powder alarm, Gage still wanted to restore a peaceful environment, and believed that the patriot's possession of powder constituted a serious threat to the British government. Determined to protect the loyalists, Gage planned another seizure of powder on September 8, 1774.

The historian, John Galvin, effectively tells the story of this powder alarm. Gage detached a number of troops to the shoreline of Charlestown after dark on September 8. Their mission was to take possession of guns and powder in the Charlestown Battery. Just a few hours before Gage sent a detachment of troops to this battery, he had learned that the guns were in danger of being stolen by the patriots. He sent out an officer to inspect the area before the troops arrived. Nevertheless, when the troops arrived at their destination, the patriots had already seized the powder and arms. Due to the constant monitoring of British movements, the presence of an officer inspecting the battery caused the patriots to send out an emergency call to all neighboring towns to bring heavy wagons to the area in order to wheel the cannon, guns, and ammunition to Salem and Concord. Several heavy wagons arrived at the battery before the British troops could arrive, and the patriots managed to take possession of everything there. Just

a week before, the powder alarm of quarry-hill took the patriots by surprise.<sup>61</sup> Galvin argues that the “system of communicating the alarm through riders and signals was now working with amazing efficiency, and it was augmented by a score of self-appointed observers tagging on the heels of the regulars at every move they made.”<sup>62</sup> The patriots designed an effective communication system that prevented Gage from even seizing powder. Gage was running out of options; however, he would not stop trying to seize arms and ammunition throughout the countryside. He decided that directly communicating with the patriots could perhaps lead to some sort of negotiation.

On September 1, 1774, he proposed a sitting of the General Court and called for elections to be held in Salem on October 5, 1774. On September 14, 1774, the Sheriff sent his precept for the General Court to the towns in Massachusetts. It informed the towns to elect a representative and send them so Salem on the aforementioned date. It further informed the town to make return of this precept with the names of those attending.<sup>63</sup> Nonetheless, just two weeks later, Gage perceived the implications of calling the General Court due to the flurry of the patriotic activity throughout the colony. As mentioned earlier, governors historically dissolved the General Court when they knew it would conflict with their agenda. Gage realized this would be a political and social disaster.

On September 28, Gage issued a proclamation dissolving the General Court. He realized that allowing the General Court to meet would only exacerbate his present state of affairs. Nonetheless, Gage’s Whig ideology precipitated his idea his idea to call the new General Court. He wanted to negotiate a plan to come to a peaceful agreement between the patriots and the

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<sup>61</sup> John Galvin, *The Minutemen, The First Fight*, 68-69.

<sup>62</sup> John Galvin, *The Minutemen, The First Fight*, 69.

<sup>63</sup> Sheriffs Precept for the General Court, September 14, 1774, in Wroth ed., *Province in Rebellion*, 552-553.

British Government. This was too risky for him though. The patriots would have made a mockery out of him. He was prudent to dissolve the General Court once again. His proclamation stated:

Whereas the first day on September instant, I thought fit to issue writs, for calling a great and general court, or assembly, to be convened and held at Salem, in the County of Essex...And whereas many tumults and disorders which have since taken place, the extraordinary resolves that have been passed in many of the counties, the instructions given by the town of Boston, and some other towns, to their representatives, and the present disordered, and unhappy state of the province, it appears to me highly inexpedient that a great and general court should be convened, at the time aforesaid, but that a session, at some more distant day will best tend to promote his majesty's service and the good of the province. I have therefore thought fit, to declare my intention, not to meet the said General-Court in Salem... And I do hereby excuse and discharge all such persons who have been, or may have been elected.<sup>64</sup>

Gage explored different options that he thought would best alleviate the current threat to his situation. Significantly, however, he was not ready to end any chance of meeting with the elected officials someday. He merely postponed the assembling of the General Court until relations improved. With the patriotic activity occurring throughout the entire colony in mind, it would have been political suicide for Gage to follow through with calling the General Court. He returned to a preventive-war strategy as he witnessed the legitimacy of his government rapidly deteriorate.

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Towards the end of September, the towns prepared to send their respective representatives to meet at Salem on October 5, 1774. Approximately two weeks before the forming of the Provincial Congress, Worcester County held a groundbreaking county convention. On September 22, the plans that officially designed the minutemen were put into resolves. This plan built on their recommendations from their previous convention on September

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<sup>64</sup> Proclamation dissolving the General Court, September 28, 1774, in Wroth ed., *Province in Rebellion*, 554.

6, that required all officers to resign their posts, and for towns to elect new people to fill that void. At the September 21<sup>st</sup> convention, the Worcester Patriots resolved:

That it be recommended to the several towns in this county, to choose proper military officers, and a sufficient number for each town, and that the captains, lieutenants, and ensigns, who are chosen by the people in each regiment, do convene, on or before the tenth day of October next, at some convenient place in each regiment, and choose their field officers to command the militia until they be constitutionally appointed, and that it be recommended to the officers in each town of the county, to enlist one third of the men of their respective towns, between sixteen and sixty years of age, to be ready to act at a minute's warning; and that it be recommended to each town in the county, to choose a sufficient number of men as a committee of supply and support those troops that shall move on any emergency.<sup>65</sup>

This plan crafted by the Worcester patriots would soon serve as a model for military affairs in the Provincial Congress. Nonetheless, it is important to note that the patriots could only make recommendations. Nobody in Worcester County was required by law to join the militia or withhold their monies from the provincial treasurer. The patriots were effective at humiliating people who did not join their cause, though. If someone continued to purchase British goods, that perpetrator's name would be sent to Boston for publication in the newspapers so the patriots would know not to do business with that person. Moreover, they used public humiliation in the forms of tarring and feathering loyalists. Although they could only propose recommendations, if someone chose not to abide by them, then they more than likely fled to Boston for fear of the implications of not accepting the patriot's resolves. Nonetheless, the patriots established the model for military affairs in provincial Massachusetts. This is an essential component for the success of a shadow government to supersede authority from the originating governmental body.

By the beginning of October, the patriotic fervor had completely taken over Massachusetts with the exception of Boston. With Gage dissolving the General Court, the patriots' plan to implement the provincial congress was imminent. The patriots tested Gage

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<sup>65</sup> Worcester County Convention, September 20-21, in Wroth ed., *Province in Rebellion*, 930.



throughout the entire summer, and he virtually failed in every instance. The main difference now, though, was that the concentration of the patriotic activity would now be held in Salem and soon Concord: two places that are significantly closer the towns in Berkshire or Worcester. Perhaps now, Gage could suppress the Provincial Congress from convening. On the other hand, on August 25 while Gage's headquarters was still in Salem, he could not prevent a town meeting. Trying to arrest the leaders of a patriotic movement enraged for months about perceived parliamentary violations of their constitutional rights would prove to be a formidable task. The patriotic movement had gained too much momentum over the summer for Gage to prevent the Congress from convening. Moreover, Great Britain's misperception of Gage's situation allowed the patriotic movement to gain power. In the ensuing months, Gage's only option was to continue to plead with the British officials in London over the gravity of his situation. If he could convince the British officials that he was doing everything within his power to remedy the situation, then maybe they would send additional provisions and troops allowing Gage to conduct an effective counter-insurgency campaign. With only 3,000 troops by the beginning of October; however, Gage hardly had enough troops and provisions to defend Boston. Soon, the patriots would assemble an extra-legal shadow government twenty miles from Boston. The Provincial Congress was set to meet on October 5, 1774.

### Chapter III: The Province Unites

On the morning of October 5, 1774, the 90 members elected to the General Court arrived at Salem in total disregard of Governor Gage's proclamation. They decided to adjourn the meeting, and everyone was supposed to meet back at the Salem courthouse in the morning on October 7. The members present opened the morning proceedings with the following statement:

Whereas his Excellency, Thomas Gage, Esq, did issue writs bearing date the first of September last, for the election of members to serve as representatives on the Great and General Court, which he did think 'fit and appoint' to be convened and holden on the fifth day of October instant, at the courthouse in this place; and whereas a majority of members duly elected in consequence of said writ did attend at said courthouse the time appointed, there to be qualified according to the charter for taking seats and acting as representatives in said Great and General Court; but were not met by the governor, or other constitutional officers, or officers by him appointed for administering the usual oaths, and qualifying thereto.<sup>1</sup>

The members present went on to acknowledge the unconstitutionality of the proclamation that Gage issued on September 28 that dissolved the General Court. The General Court was the beacon of their liberties. It was an essential component of their 1691 charter that allowed for the Massachusetts inhabitants to have a significant amount of autonomy from the British administration in governmental affairs. Moreover, in Gage's proclamation, he claimed that his dissolution of the General Court was primarily due to the unhappy state of affairs in the province. The members present at the Salem Courthouse resolved to argue that the present unhappy state of affairs was due to Gage's actions, and they were only defending their charter.<sup>2</sup> They legitimized the Provincial Congress by claiming that Great Britain acted illegitimately by passing the new acts, and that they were the legitimate government because they were defending their charter rights. After establishing the current state of affairs, the members resolved

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<sup>1</sup> The First Provincial Congress, October 7, 1774, in Wroth ed., *Province in Rebellion*, 1074.

<sup>2</sup> The First Provincial Congress, October 7, 1774, in Wroth ed., *Province in Rebellion*, 1076.

themselves into a Provincial Congress to take into consideration the “dangerous and alarming situation of public affairs in this province.”<sup>3</sup> Once they established the Provincial Congress, they proceeded to elect the Honorable John Hancock as the chairman and Benjamin Lincoln as clerk, and then adjourned themselves to October 11 at the courthouse in Concord.<sup>4</sup> The patriots had effectively organized a shadow government. The success of this government would depend on the cooperation of every member. They needed to speak unanimously in order to appear legitimate to the rest of Massachusetts.

The Congress met according to adjournment at 10:00 A.M. on October 11. Their initial proceedings discussed procedural matters such as electing John Hancock as president of the Congress. The ninety representatives who had appeared at the Salem courthouse were joined by an approximately 200 additional delegates. In total, 209 of the 260 towns and districts in Massachusetts sent delegates with only the smallest and most distant communities failing to attend.<sup>5</sup> Raphael argued that this representation at the Provincial Congress was far greater than any previous participation at the general court.<sup>6</sup> Moreover, Stephen Patterson argued that the number of delegates that assembled at Concord was large for two reasons:

For one thing, no limitations upon representation were in effect, and many towns sent more delegates than they normally could have sent to the General Court. In the second place, many towns had elected separate delegations to the legislature and to the congress while the men at Salem decided both should sit...But of greater significance, the representation from the eastern coastal counties was near normal while delegations from the predominately agricultural inland counties were enormous.<sup>7</sup>

The vast representation at the Congress exemplified the current state of affairs in Massachusetts.

The British Government upset and disturbed the Massachusetts inhabitants. They were willing to

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<sup>3</sup> The First Provincial Congress, October 7, 1774, in Wroth ed., *Province in Rebellion*, 1076.

<sup>4</sup> The First Provincial Congress, October 7, 1774, in Wroth ed., *Province in Rebellion*, 1091.

<sup>5</sup> Ray Raphael, *The First American Revolution: Before Lexington and Concord* (New York: The New Press, 2002), 160.

<sup>6</sup> Ray Raphael, *The First American Revolution*, 160.

<sup>7</sup> Stephen Patterson, *Political Parties in Revolutionary Massachusetts* (Madison: The University of Wisconsin Press, 1973), 110.

put their trust in an extralegal governmental body to resolve matters before they would acquiesce to British tyrannical authority. By electing officials as if they were under their old charter, the patriots now viewed the Provincial Congress as the legitimate power in Massachusetts. In order to defend their understanding of their sovereignty, they needed to establish a system of collecting money and arms. The patriots knew that Gage did not have the troops required to suppress their insurgency, but had to have been cognizant that sooner or later Gage would be able to convince the British government to send reinforcements.

The delegates transacted nothing of significance during the first several days of the congress' existence. They focused primarily on logistical matters and devising various committees to report on the current state of affairs in the province. Nonetheless, on October 13, the Committee on the State of the Province designed an important letter to be presented to Governor Gage.

May it please your Excellency! The delegates from the several towns in Massachusetts Bay having convened in general congress, beg leave to address your Excellency: the distressed and miserable state of the province occasioned by intolerable grievances and oppressions to which the people are subjected, and the danger and destruction to which they are exposed, of which your Excellency must be sensible, and the want of a General Assembly have rendered it indispensably necessary to collect the wisdom of the province by their delegates in this congress, to concert some adequate remedy for preventing impending ruin, and providing for the public safety. It is with the utmost concern we see your hostile preparations which have spread such alarm throughout this province and the whole continent, as threatens to involve us all in confusion and horrors of a civil war; and while we contemplate an event so deeply to be regretted by every good man, it must occasion the astonishment and surprise of all mankind, that such measures are pursued against a people whose love of order, attachment to Britain, and loyalty to their prince, have ever been truly exemplary. Your Excellency must be sensible that the sole end of government is the protection and security of the people; whenever therefore that power, which was originally instituted to affect these important and valuable purposes, is employed to harass distress or enslave the people, in this case it becomes a curse rather than a blessing...The rigorous execution of the Port Bill with improved severity, must eventually reduce the capitol and its numerous dependencies to a state of poverty and ruin: the acts for altering the charter and the administration of justice in the colony, are manifestly designed to abridge this people of their rights, and to license murderers; and if carried into execution, will reduce them to a state of slavery: the number of troops in the

capitol, increased by daily ascensions from the whole continent, together with the formidable and hostile preparations which you are now making on Boston neck, in our opinion, greatly endanger the lives, liberties and properties, not only of our brethren in the town of Boston, but of this province in general...We assure you sir that the good people of this colony never had the least intention to do any injury to his Majesty's troops; but on the contrary most earnestly desire that every obstacle to treating them as fellow subjects may be immediately removed; and are constrained to tell your Excellency, that the minds of the people will never be relieved until those hostile works are demolished...and restore the pass to its normal state.<sup>8</sup>

This letter embodies every concern the patriots had voiced over the summer of 1774. It almost served as an olive branch proclaiming that the patriots desired a peaceful solution to these issues. They mentally prepared themselves to fight for their rights, however, if their concerns did not receive British acknowledgement. Nonetheless, General Gage now was aware of every grievance the patriots had with the British administration.

On October 17, the Committee on the state of the Province received General Gage's response to their letter written on October 13, 1774. The viewpoints between the competing parties were radically different in the way they perceived each other's actions. Nevertheless, Gage was tame but direct in his perception of the situation.

The previous menaces daily thrown out, and the unusual war-like preparations throughout the country, made it an act of duty for me to pursue the measures I have taken in constructing what you call a fortress...No person can be more solicitous than myself to procure harmony and union between Great Britain and her colonies...but an opened and avowed disobedience to all her authority is only bidding defiance to the mother country...Whilst you complain of acts of Parliament that make alterations in your charter...you will not forget that by your assembling you are yourselves subverting that charter, and now acting in direct violation of your own constitution. It is my duty therefore...to warn you of the rock you are upon, and to require you to desist from such illegal and unconstitutional proceedings.<sup>9</sup>

As angry as the patriots were for the acts that Parliament issued subverting their charter, they too, openly violated their charter in Gage's perception of the situation. Gage correctly deemed the Provincial Congress illegal. He attempted to assuage their concerns by saying that his

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<sup>8</sup> The First Provincial Congress, October 13, 1774, in Wroth ed., *Province in Rebellion*, 1094-1096.

<sup>9</sup> The First Provincial Congress, October 17, 1774, in Wroth ed., *Province in Rebellion*, 1099-1100.

preparations would annoy nobody unless the patriots annoyed his preparations or troops.

Nonetheless, both parties had their preconceived perceptions of each other's actions. Neither side was willing to budge, and in the ensuing months the situation would continue to exacerbate without a resolution.

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Now that both sides understood each other's intentions, it appeared to the patriots that war was inevitable. Therefore, they needed to implement a system that would be able to respond militarily in the event that Gage acted as an aggressor. They discussed military matters on October 20, 1774. By this point, the Provincial Congress had been meeting at the Cambridge courthouse because it was more accommodating for the large number of delegates attending the congress. Nonetheless, the Congress appointed a committee to "consider what is necessary to now be done for the defense and safety of the province."<sup>10</sup> Several days of deliberation ensued, and delegates read the reports aloud and then sent the report back to the committee for further amendments. On October 24, in addition to aforementioned committee, the Provincial Congress created the committee to determine the most proper time for this province to provide a stock of powder, ordnance and ordnance stores. After little deliberation, the committee concluded that now was the proper time.<sup>11</sup> A new committee was devised shortly thereafter asking for a report on how much powder the province should need.

After days of deliberation, plans for military affairs began to materialize on October 25, 1774. The committee, appointed to take into consideration and determine what number of ordnance, quantity of powder and ordnance stores would be necessary for the province stock at

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<sup>10</sup> The First Provincial Congress, October 19, 1774, in Wroth ed., *Province in Rebellion*, 1103.

<sup>11</sup> The First Provincial Congress, October 19, 1774, in Wroth ed., *Province in Rebellion*, 1111-1112.

this time estimated their total cost at 20,837 pounds.<sup>12</sup> Now that the Provincial Congress had an estimate of how much it would cost to acquire the necessary powder and guns, it needed to devise an efficient military system. Following the model that the Worcester County Convention had proposed on September 21, the Provincial Congress revealed their plans for the militia on October 26, 1774. The report described the gravity of their current situation, and listed several occurrences of when Gage acted as an aggressor with his troops such as in Salem and powder seizures. Then it proceeded with their resolves.

1) Resolved that there be a committee of safety....and they are hereby directed whenever they shall judge it necessary for the safety and defense of the inhabitants of this province...to alarm, muster and cause to be assembled with the utmost expedition and completely armed, accoutered and supplied with provisions, sufficient for their support in their march to the place of rendezvous.

2) Or a major part of them, be a committee (the committee of supplies), in case of any such mustering and assembling the militia as aforesaid, to make such provision, as shall be necessary for their reception and support...Also, without delay, shall purchase and provide, upon the credit of the monies, already granted by the province, not paid into the treasury, so many pieces of cannon for the same, small arms, such quantities of ammunition, ordnance stores, as they judge necessary, not exceeding the value of twenty thousand, eight hundred and thirty seven pounds, to be deposited in such secure places, as the said committee of safety shall direct.

4) That the said officers and soldiers who may be mustered and retained in service...shall be entitled to such an allowance from this province, as shall be adequate for their services.

6) That as the security of the lives, liberties and properties of the inhabitants of this province, depends, under providence, of their knowledge and skill in the art military, and in their being properly armed and equipped, it is therefore recommended, that they immediately provide themselves therewith, that they use their utmost diligence to perfect themselves in military skill.<sup>13</sup>

These resolves showed similarities to the ones passed at the Worcester County Convention.

Most notably, the congress created the committees of safety and supplies. These were the two committees in charge of all military affairs in the province.

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<sup>12</sup> The First Provincial Congress, October 25, 1774, in Wroth ed., *Province in Rebellion*, 1114.

<sup>13</sup> The First Provincial Congress, October 26, 1774, in Wroth ed., *Province in Rebellion*, 1119-1120.

In addition to these resolves, the congress also organized an army based on the plans of the old militia. Each militia company elected new officers. These officers would then meet together and elect battalion and regimental commanders and staff.

Once the regiments were formed, the commanders were to enlist one quarter of the men into new companies of fifty privates ‘who shall equip and hold themselves in readiness, on the shortest notice from the said committee of safety, to march to the place of rendezvous; and that each and every company so formed choose a captain and two lieutenants to command them on any such emergent and necessary service as they may be called to.’<sup>14</sup>

With the organization structure now set for military affairs, it was necessary for the congress to devise a plan to generate the second central component for a successful shadow government: collecting money.

In order to fund the plans for the military, the members of the Provincial Congress needed to design a method of generating funds. On the surface, this would seem to be difficult. The Boston Tea Party occurred because of the excise tax on tea without colonial representation in Parliament. The patriots understood they needed a significant amount of money to fund their plans; however, they did not want to enrage the population by taxing them too heavily. Moreover, they faced an enforcement problem. The general population was under no legal obligations to withhold their taxes from the Crown and give them to the Provincial Congress. Legitimacy played a crucial role, however, for the patriots in collecting money. Since the population deemed the controversial acts an illegitimate alteration of their charter, they gave their support to the shadow government. The Provincial Congress acted under the premises of their 1691 charter providing much more legitimacy to their actions in the eyes of the people. It was quickly becoming the de facto charter for the government in Massachusetts.

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<sup>14</sup> John Galvin, *The Minutemen, The First myths of the American Revolution* (Dulles: Brasseys, 1996), 54; The First Provincial Congress, October 26, 1774, in Wroth ed., *Province in Rebellion*, 1119-1120.



The plans to devise a system of collecting money began on October 14, 1774. In the afternoon session, the Congress resolved:

That the several constables and collectors of taxes throughout the province, who have or shall have any monies in their hands, collected on province assessments, be advised, not to pay the same or any part thereof to the Honorable Harrison Gray Esq.; but that such constables and collectors as also such constables and collectors as have or shall have any county monies in their hands, take and observe such orders and directions touching the same, as shall be given them by the several towns and districts by whom they were chosen. And that the sheriffs and deputy sheriffs of the several counties in the province, who have in their hands any province monies, be also advised not to pay the same said Harrison Gray Esq.; but that they retain the same in their hands respectively, until the farther advice of a Provincial Congress or order of a constitutional assembly of this province. And the present assessors of the several towns and districts in the province be advised to proceed to make assessments of the tax granted by the Great and General Court at their last May session, and that such assessments be duly paid by the persons assessed, to such person or persons as shall be ordered by the said towns and districts respectively. And the congress recommend they payment of the tax accordingly.<sup>15</sup>

The Congress resolved to inform public officials who collected taxes to withhold their payments to the Crown. Moreover, the Congress enacted taxes previously passed by the General Court in May 1774, and further recommended the Massachusetts inhabitants to pay those taxes to the Provincial Congress. Enacting previously passed legislation under their former charter adds legitimacy to their shadow government because they operated under the premises of a legal government in the eyes of the people. This proposal was an effective method for the patriots to appeal to the population for monetary support. The Provincial Congress was quickly restoring Massachusetts' charter that had been void for three months. Nonetheless, the Congress could only recommend these resolves to the people, and it would require popular support for them to be effective.

The next step for the Congress was to elect a receiver general who would be in charge of collecting the taxes. On October 28, 1774, the Congress resolved:

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<sup>15</sup> The First Provincial Congress, October 14, 1774, in Wroth ed., *Province in Rebellion*, 1097.

That Henry Gardner Esq. be, and hereby is appointed receiver general until the farther order of this, or some other congress, or House of Representatives of this province, whose business it shall be, to receive all such monies, as shall be offered to pay into his hands, to the use of the province by the several constables, collectors or other persons, by order of the several towns or districts, and to give his receipts for the same; and the same monies to pay out the committee of supplies, or a major part of them, already appointed by this congress or order of said committee, or the major part of them for the payment of such disbursements, as they shall find to be necessary for the immediate defense of the inhabitants of this province. And it is hereby recommended to the several towns and districts within this province, that they immediately call town and district meetings, and give directions to all constables, collectors and other persons who may have any part of the province taxes of such towns or districts in their respective hands, or possession, in consequence of any late order of any towns or districts, that he or they immediately pay the same to the said Henry Gardner...And the said Henry Gardner, shall be accountable to this or some other congress, for whatever he shall do touching the premises. And to the end, that all monies, heretofore assessed in pursuance of any former grants, and orders of the Great and General Court or assembly of this province, and hitherto uncollected by the several constables and collectors, to whom the several lists of assessments thereof were committed, may be effectually levied and collected...It is earnestly recommended by this body, to the several constables and collectors respectively, who have such assessments in their hands, or to whom any assessments, yet to be made, may be committed by the assessors of any towns or districts, that in levying and collecting the respective part or proportion of the total such assessments...And it is also hereby strongly recommended, to all inhabitants of the several towns and districts in this province, that they without fail do afford their respective constables, and collectors all that aid and assistance, which shall be necessary to enable them, in the manner to levy the contents of such assessments, and that they do oblige and compel that said constables, and collectors to comply with and execute the directions of this resolve, inasmuch as the present and most alarming situation and circumstances of this province, does make it absolutely necessary for the safety thereof.<sup>16</sup>

The congress did not have an elaborate plan to collect money from the population. They strongly recommended that Massachusetts inhabitants withhold their taxes from the Crown treasury, and give their taxes to the Provincial Congress. This was merely an appeal to the popular sentiment of the population. By acting as the legitimate government in the people's eyes and discrediting Great Britain, the congress formulated a successful plan to collect money to fund the militia.

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<sup>16</sup> The First Provincial Congress, October 28, 1774, in Wroth ed., *Province in Rebellion*, 1126-1128.

The congress also enacted a warrant to give the constables collecting the money a more legitimate appearance. They resolved that:

The constables and collectors should act and proceed, in the same way and manner, as is expressed and prescribed in the form of a warrant, given and contained in one act or law of this province, entitled 'An Act Prescribing the form of a Warrant for Collecting' town assessments.<sup>17</sup>

This warrant allowed the collectors to distinguish themselves from the collectors authorized by Parliamentary law. It legitimized their actions through the Provincial Congress, and allowed the population to confidently allocate their taxes to the shadow government.

With the plans for a military and money collecting system in effect, the Congress adjourned on October 29, 1774, planned to reconvene on November 23, 1774. Raphael noted that

In the interim, the Committee of Safety was instructed to sit in Cambridge, where it could keep an eye on the movement of British troops. The Congress also appointed seven leading figures, including John Hancock, James Warren, Elbridge Gerry, and Joseph Hawley, to meet during the recess. These two standing committee were the beginnings of an executive wing of the embryonic government.<sup>18</sup>

By the end of October, the shadow government had all the proper requirements in order to challenge Gage's sovereignty. Before they adjourned, however, they sent one more letter to Gage, appealing to their perception of gross violations of their charter.

Have not invasions of private property by your Excellency been repeatedly made at Boston? Have not the inhabitants of Salem, whilst peaceably assembled for concerting measures to preserve their freedom, and unprepared to defend themselves, been in imminent danger from your troops? Have you not, by removing the ammunition of the province, and by all other means in your power, endeavored to put it in a State utterly defenseless? Have you not expressly declared, that "resentment might justly be expected" from your Troops, merely, in consequence of a refusal of some Inhabitants of the province, to supply them with property undeniably their own? Surely these are questions founded on incontestable facts, which, we think, must prove that while the "Avowed Enemies" of Great Britain and the Colonies are protected by your Excellency, the lives, Liberties and properties of the Inhabitants of the Province, who are real friends to the

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<sup>17</sup> The First Provincial Congress, October 28, 1774, in Wroth ed., *Province in Rebellion*, 1127.

<sup>18</sup> Ray Raphael, *The First American Revolution*, 162.

British Constitution are greatly endangered, whilst under the control of your Standing Army.<sup>19</sup>

These accusations had to have been gut-wrenching for Gage. In his eyes, he was merely protecting the loyalists, and also attempting to devise a way to come to a peaceful settlement. By the end of October, however, relations had deteriorated too far for a peaceful resolution. How could Gage possibly suppress the illicit activities of a unified shadow government when the leading officials in London still did not recognize his plight?

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Gage had completely lost control of the situation. The loyalists still supported Gage; however, they resided in Boston with him. The population in the countryside had thrown their support behind the patriots and the Provincial Congress. The prospects of war became more evident by the day. Gage knew that the patriots were trying to form an army, and also that they had every intention of usurping his power and becoming the de facto form of government in Massachusetts. On November 2, 1774, General Gage wrote to Lord Dartmouth:

The officers of the Militia have in most places been forced to resign their Commissions, and the Men choose their officers, who are frequently made and unmade; and I shall not be surprised, as the Provincial Congress seems to proceed higher and higher in their Determinations, if persons should be authorized by them to grant commissions and assume every power of a legal government, for their edicts are implicitly obeyed throughout the country. I shall be able to use a force near 3,000 men for the defense of Castle William. If these misunderstandings proceed to the last extremities, that to begin an army of 20,000 strong. This will save both blood and treasure. Many parts of the country are in arms.<sup>20</sup>

Gage acknowledged that the patriots had every intention to assume the role of a legal government in Massachusetts. He realized that the population supported the Provincial Government, and deemed his power illegitimate.

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<sup>19</sup> The First Provincial Congress, October 29, 1774, in Wroth ed., *Province in Rebellion*, 1135.

<sup>20</sup> General Gage to Lord Dartmouth, November 2, 1774, in Carter ed., *Gage Correspondence, I*, 382-383.

Gage never surrendered his power to the Provincial Congress. Despite receiving approbation from leading government officials in London, he continued to administer his position to the fullest of his ability. Until he received reinforcements from England, he believed his best method was to disarm the countryside. His intelligence informed him that the Provincial Congress attempted to raise an army on pay. To prevent hostilities and violence from occurring, Gage had to use the few troops he had to seize the patriot's powder and arms. This was only a temporary solution, however, and he continued to plead with government officials to send reinforcements. On December 15, 1774 Gage wrote to Lord Dartmouth providing him with the latest intelligence he had received.

Your Lordship's idea of disarming certain Provinces would doubtless be consistent with Prudence and Safety, but it neither is nor had been practicable without having recourse to Force, and being Masters of the Country. All Former Counsellors stand firm and deserve the greatest Encouragement, and there are many who profess themselves friends of the government, though backward in exerting themselves openly in the service, they allege through fear that Great Britain should relax, but I am assures if she continues firm, and a respectable Army is send in the Field, that numbers will declare themselves and join with the King's troops. I have no doubt that the aim of the hot leaders here has been to have a body of troops in pay, and under their direction, and to persuade colonies to contribute towards its expense. Not succeeding in that attempt, they have next tried in this Provincial Congress to usurp the government entirely, and the surest means to procure both money and troops by their own Authority.<sup>21</sup>

By December, the head officials in London still were not convinced that Gage's reports were accurate. They still believed the best method was to arrest the leaders. The patriotic movement was too strong at this time, however, and arresting the leaders only would have exacerbated the situation.

Gage's proclamations issued throughout the summer had gone largely unnoticed by the patriots. Nonetheless, acting in his official capacity as governor, on November 10, 1774, he issued a proclamation proclaiming the illegality of the Provincial Congress.

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<sup>21</sup> General Gage to Lord Dartmouth, November 2, 1774, in Carter, ed., *Gage Correspondence*, I, 382-383.

Whereas a number of persons unlawfully assembled at Cambridge, in the month of October last, calling themselves a Provincial Congress, did in the most open and daring terms, assume to themselves the powers and authority of government, independent of, and repugnant to his Majesty's government legally and constitutionally established within this province, and tending utterly to subvert the same, and did amongst other unlawful proceedings, take upon themselves to resolve and direct a new unconstitutional regulation of the militia, in high derogation of his Majesty's prerogative, and also to elect and appoint Henry Gardner, to be receiver general, in the room of Harrison Gray, then and still legally holding and executing that office, and also to order and direct the monies granted to his Majesty to be paid into the hands of said Henry Gardner, and not to the said Harrison Gray; and further, earnestly recommend to the inhabitants of this province to oblige and compel to the several constables and collectors to comply with and execute the said directions, contrary to their oaths...For the prevention of which evils and the calamitous consequences thereof; in his majesty's name, strictly prohibiting all his liege subjects within this province, from complying, in any degree, with the said requisitions, recommendations, directions or resolves of the aforesaid unlawful assembly...And I do hereby charge and command all justices of the peace, sheriffs, constables, collectors and other officers, in their several departments, to be vigilant and faithful in the execution and discharge of their duty in their respective offices, agreeable to the well known established laws of the land; and to their utmost power, by all lawful ways and means, to discountenance, discourage and prevent a compliance with such dangerous resolves of the above mentioned, or any other unlawful assembly whatever.<sup>22</sup>

This proclamation shows the battle for legitimacy between the shadow government and the British crown. Both attempted to discredit the other by proclaiming the illegitimacy of their actions. Gage argued that the British government was the legal and constitutional form of government, and the shadow government had no legality to it whatsoever. Nonetheless, Gage had lost the population's support. His proclamation was a dead letter the moment he issued it. The Provincial Congress would continue to meet until the beginning of the Revolutionary War.

Although the leading government officials in London did not correctly perceive Gage's plight, they did attempt to help Gage reduce the possibility of violence. The King issued a circular letter to every governor in the Colonies in America announcing the prohibition of the export of gunpowder from Great Britain to the colonies. Gage received the circular letter on December 3, 1774. It stated:

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<sup>22</sup> Proclamation against the Provincial Congress, November 10, 1774, in Wroth ed., *Province in Rebellion*, 1209-1211.

His Majesty having thought fit, by his Order in Council on this day, to prohibit the exportation from Great Britain of gunpowder, or any sort of arms and ammunition...and it is his Majesty's command that you do take the most effectual measures for arresting, detaining and securing and gunpowder, or any sort of arms and ammunition which may be attempted to be imported into the province under your government, unless the master of the ship, having such military stores on board, shall produce a license from his Majesty, or the Privy Council, for the exportation of the same from some of the ports of this Kingdom.<sup>23</sup>

This circular letter authorized the governors to continue sending secret envoys to seize powder from areas where it could be used detrimentally against the King's troops.

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In the months just prior to the outbreak of war, circumstances compelled Gage to limit his operations to seizures of arms and ammunition caches throughout the province. Some were successful, but others failed miserably. It mainly came down to which side had the better intelligence when Gage would design a plan to seize powder in the countryside. For instance, on March 4, 1775, General Gage wrote to Lord Dartmouth and said:

The circumstance of the eight field pieces at Salem led us into a mistake, for supposing them to be brass guns brought in from Holland or some of the foreign lands, which reports had also given reason to suspect; a detachment of two hundred men under Colonel Leslie was sent privately off by water to seize them; the places they were said to be concealed were strictly searched, but no artillery could be found. The people assembled in great numbers with threats and abuse, but the Colonel pursued his orders, and returned to Marblehead.<sup>24</sup>

These attempts to seize powder and arms were commonplace. Nonetheless, each discovered attempt further escalated relations between Gage and the population.

The status quo remained in effect between the two contending governments throughout the remainder of the year. The Provincial Congress continued to gain legitimacy in the eyes of the people, while Gage's government became synonymous with tyranny. The Provincial Congress had effectively usurped British power in Massachusetts. Gage's government was only

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<sup>23</sup> Circular Letter, received December 3, 1774, in Wroth ed., *Province in Rebellion, 1205-1206*.

<sup>24</sup> General Gage to Lord Dartmouth, March 4, 1775, in Carter ed., *Gage Correspondence, I*, 393-394.

legitimate in Boston. The patriots had the support of the population in the countryside and the Continental Congress.

Nonetheless, neither side wanted to act as an aggressor or and spark a war. As the spring of 1775 approached, however, Gage sensed the urgency of the situation. In February 1775, he wrote to Lord Barrington saying:

I hardly think it possible that any of the opposition can support the resolves of the Congress, for surely you would be better off without Colonies than to accept the terms they have sent you. I fear your Lordship flatters me in what you write of Approbation of my conduct. My situation must give room for blame and approbation. I have acted for the best. Your next dispatches will probably require a different conduct, and I shall wait for them impatiently as I conclude that they will require me to make many preparations to act offensively; for to keep the Town of Boston quiet, only will not terminate affairs; the troops must march into the country.<sup>25</sup>

Gage sensed that the clash for sovereignty would soon take place. He knew that he would have to march into the countryside to regain control over areas he lost in the summer of 1774. His methodology for acting defensively would soon change into an offensive strategy.

Gage had received a letter from Lord Dartmouth on January 27, 1775 that finally acknowledged Gage's plight; however, Dartmouth was still unwilling to accept that the situation had deteriorated that far. Nonetheless, the correspondence stated:

Although your letters represented the Affairs of the Province under your government in a very unfavorable light, and stated an opposition to the execution of the law which marked a spirit in the people in a dangerous and alarming nature, yet as they did not refer to any facts tending to show that the outrages which had been committed were other than merely the Acts of a tumultuous rabble, without any appearance of general concert. It is hoped that this large reinforcement to your army will enable you to take a more active and determined part, and that you will have strength enough, not only to keep possession of Boston, but Salem too and exercise your functions there. It seems to be your idea that Matters are come to Such a state that restoring Government is no otherwise attainable than by the absolute conquest of the People of Rhode Islands, Mass Bay, and Connecticut by a force of no less than 20,000 men...It is the majesty's view that the first and essential step to towards restoring government, would be to arrest and imprison the principal actors and abettors in the Provincial Congress. Force should be repelled by force.<sup>26</sup>

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<sup>25</sup> General Gage to Lord Barrington, February 10, 1775, in Carter, ed., *Gage Correspondence*, II, 669.

<sup>26</sup> General Gage to Lord Dartmouth, January 27, 1775, in Carter, ed., *Gage Correspondence*, II, 179.



The letter went on to acknowledge that due to Gage's correspondences, Great Britain declared Massachusetts in open rebellion. Most importantly, however, Lord Dartmouth left it up to Gage's discretion on whether or not force needed to be used. One could ascertain that Lord Dartmouth authorized Gage to use force and begin a war between Massachusetts and Great Britain.

By April 1775, the counterinsurgency failed, and political power was in the hands of the patriots, though the British government, and perhaps even Gage himself, did not yet understand how far things had gone. Tensions were escalating daily, and one misstep could plunge Massachusetts into a war with the greatest power on the globe. Nonetheless, the patriots prepared themselves for that eventuality. They were willing to fight for their charter rights. They believed they were the legitimate government in Massachusetts acting in accordance with their charter from 1691. The British violated their charter rights, and the patriots were willing to die for the restoration of their civil government. Had the British been victorious, suppressed the rebellion, and executed the leaders of the Provincial Congress, then they would have continued to operate a sovereign, but illegitimate government in the eyes of the people. Nonetheless, the communication network established by the Boston Committee of Correspondence created the scenario that allowed for a smooth evolution of a legitimate Provincial Congress in the eyes of the Massachusetts inhabitants. War and force of arms would settle the question of sovereignty. The summer of 1774 was the quintessential example of a successful insurgency. The patriots built and organized a political movement, formed a shadow government legitimate in the eyes of the people, and created the military and financial means to defend its redefinition of the locus of sovereignty in Massachusetts.

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